

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

**January 16, 2024**

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

Mrs. Spinner called the meeting to order at 6:30 p.m. Ms. Loza was absent.

The minutes of the October 16, 2023 Planning & Zoning Committee meeting were approved as written.

**Legislation Discussed:**

Temp. Ord. A-14

Temp. Ord. A-15

**Discussion:**

**Temp. Ord. A-14**

An ordinance accepting the recommendation of the Planning Commission for the construction of a 10-unit townhome building, known as The Residences at Fountain Point, for Testa Enterprises, Inc., and located at 2335 Second Street, and declaring an emergency.

Mr. Rob Kurtz, Planning Director, presented Temp. Ord. A-14 to Council. The applicant, Testa Builders, Inc., is proposing to construct a 10-unit townhome building at Front Street and Oakwood Ave. The project is located on an existing parking lot behind 2335 Second Street. The facades of the buildings and the primary pedestrian entrance door will face both Front Street and Levinson Lane. The vehicular access will be provided from a rear access lane accessible from Oakwood Avenue and Second Street. The proposed exterior materials will be comprised of face brick, fiber cement panels and vinyl lap siding. The proposed townhomes will also feature upper story and roof top balconies.

The Planning Commission recommended approval of the Major Site Plan in File MSP-23-00051 with the following stipulations:

1. That any change or movement to CFES equipment is at the owners / developers expense.
2. Final building elevations comply with the standards in Chapter 1143 for the Cuyahoga River Planning Area.
3. That a \$600 fee in lieu of dedication be paid per dwelling unit according to 1124.05 D. Fee to be designated for public art purposes.
4. That the site plan is modified to reduce the width of the proposed circulation drive located north of the existing office building to approximately 14-16 feet in width.
5. The final landscape plan include the addition of trees at the northwest corner of the property. The landscape plan shall meet all Chapter 1145 Landscape Design requirements

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and tree preservation and protection provisions. Additional trees and plantings will be required. A refundable cash payment of 50% of the cost of quantities specified in the plan or a performance bond payable to the City of at least 110% of the cost of quantities specified, prior to permitting

Mr. Joel Testa, President, Testa Builders, Inc., and Mr. Mike Wohlwend, Wohlwend Engineering Group were present.

Mr. Testa stated that one of the concerns heard from residents at the Planning Commission meeting was the trash dumpster located on the southeast corner of the site. There are only two placement options, the southeast corner or the northeast corner. They pushed it north to get it further away from where the pedestrian entrances are. The dumpster will also be totally enclosed by the building sign wall. It will be brick like the building and there will be landscaping. The other concern was moving the driveway location that exists now further west. They were not able to do that because of the ATM machine that is there for the bank that is in their lease, and that it would also create a pinch point of the driveway from where the teller driveway and the ATM are located. As was mentioned in the Planning Commission meeting, there is less parking because of this development and new plan than there is currently, so the amount of cars that could come in and out of that parking lot would be significantly reduced on that ingress/egress than it is now. The reality is most residents will come in off of Second Street, as most of the tenants in the building do, because they recognize it is tough to make that turn when traffic is busy and stacked up at the intersection.

Mrs. Spinner stated that the plans look really sharp. She appreciates that they were able to take into consideration some of the suggestions that were brought up at the Planning Commission meeting.

Mr. Siegfert stated that he was present at the Planning Commission meeting for this project proposal and there are some items that he is excited about, one of which is the rooftop living. It pairs great with the living style downtown with DORA and other events. This will further serve as a destination of downtown. On behalf of the residents that neighbor this vital location, he has been asked to convey the importance of the screening of the perimeter of that commercial dumpster. Per their discussion at the Planning Commission meeting, due to the foot traffic on the Levison side, the Oakwood location would seem like a better location.

Mr. Testa stated that they will not see dumpsters at all. It is completely screened from the road and pedestrian access from the streets. It is very tastefully done; nicer than most dumpsters they can see. The doors to the dumpster face into the parking lot, so unless someone is in the parking lot, they cannot see it.

Mrs. Penta asked if this project will have the same appearance of the others located on South Front Street by HiHo Brewery. Mr. Testa stated that it will not. These are predominately the same on the interior, but different on exterior to mesh with the area where they are located.

Mr. Balthis stated that he is excited about these developments. More residents and homes downtown is critical to the success and the culture that they are building downtown. He has heard concerns about the dumpster as well. He asked if the size that was presented at Planning

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Commission is changed, would Mr. Testa e-mail Council what was presented and how much they suspect it is going to shrink and the new dimensions. Mr. Testa stated that the site plan was based on the dumpster that is currently at that location. That dumpster was oversized when the bank built it there. They only need one dumpster; in fact, the one they have now is picked up twice a week. The original dumpster was 12-by-20. The new dumpster is 12-by-12, so it is almost cut in half.

Mr. Balthis asked if that dumpster would serve the building. Mr. Testa stated that that dumpster and that enclosure will serve the commercial building. Mr. Balthis asked what the trash plan is. Mr. Testa stated that the residents have a right to use the dumpster, as well; that is why it is adjacent to the building. The City trash service cannot service these units. They cannot put dumpsters in the street. They have a private hauler that can do residential trash cans and can put them in the units. It will be a condominium association, so it is at the determination of the condo association if they want the extra expense of having cans or if they want to exclusively use the dumpster.

Mr. Balthis asked if it would be possible to have trash pickup three times a week, so it will not require a larger dumpster. Mr. Testa stated that they can do it daily like they do at some facilities. Mr. Balthis stated he walks by where the dumpster is located quite often, and it always appears to be well-maintained. He has not seen trash or noticed odors, so he appreciates the past practice of the dumpster where it is currently located. He also stated that he appreciates that the concerns and restraints about the drive were discussed. He has seen a lot of congestion and it sometimes leads to horn honking.

Mr. Balthis asked how long the existing drive near the intersection of Oakwood Avenue and Front Street has existed and how it fits into the current code or regulations. Mr. Tony Demasi, City Engineer, stated that it was built before he was Engineer, but was something reviewed by the Planning Commission and City Council. Mr. Balthis stated that it seems particularly close to the intersection. As more and more growth and traffic happen downtown, it is compounding the problem. It is not an optimal design, but he understand the restraints for correcting it.

Council recessed at 6:44 due to a fire alarm and reconvened at 7:07

Mrs. Spinner asked when the lease with the bank is up. Mr. Testa stated that they just renewed it six months ago. They have been a long-term tenant and are on their second or third 10-year lease. They were part of this whole process, as they had to give their approval to make modifications to the parking lot and the road.

Mr. Stams moved to bring out Temp. Ord. A-14 with a favorable recommendation, second by Mr. Siegfert. Motion passed (4-0).

**Temp. Ord. A-15**

An ordinance accepting the recommendation of the Planning Commission for the construction of two self-service storage buildings for Komi GK, LLC, located at 3422 State Road, and declaring an emergency.

Mr. Rob Kurtz, Planning Director, presented Temp. Ord. A-15 to Council. Wes Farah (Komi GK, LLC) is requesting approval of a Major Site Plan at 3422 State Rd. The applicant is proposing the

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construction of seven (7) new personal storage buildings ranging in size from 1,400 sq. ft. to 5,600 sq. ft. The buildings will be added to the existing 5-acre site that currently contains a 35,400 square foot office/warehouse facility developed in 1998-99. The buildings all consists of personal storage units on newly installed asphalt surface, connected by a concrete drive from an existing ingress / egress to State Rd. at the south end of the site. Other site improvements include landscaping and fencing.

The Planning Commission recommended approval of the Major Site Plan in File MSP-23-00029 with the following stipulations:

1. Section 1144.02 Façade Design – use of a different color to support base element design requirements for five buildings subject to review in the zoning certificate review process.
2. Chapter 1145 Landscape Design – A detailed landscape plan is required for review and approval by the Planning Division showing compliance with the requirements of Chapter 1145, Landscape Design. This must include necessary revisions to the proposed fencing to a material and height standard compliant with 1145.09 Fencing, street trees, and new installations between the new buildings and south property line.
3. A refundable cash payment of 50% of the cost of quantities specified in the plan or a performance bond payable to the City of at least 110% of the cost of quantities of specified landscaping associated with this project be submitted prior to permit issuance per 1113.12 D. 6.
4. Outside storage of equipment and material on site to be brought into compliance with General Development Code standards. Cuyahoga Falls City Council | Planning Committee Meeting | Planning Division|2310 Second Street | Cuyahoga Falls, OH 44221 | 330.971.8135
5. That stormwater calculations, including modifications to detention basin are provided to CF Engineering Dept. Stormwater management and water quality will need to be in accordance with City standards, and reviewed by Summit Soil & Water.

Mr. Mike Wohlwend, Wohlwend Engineering Group, was present representing the owner.

Mrs. Spinner asked if the office building that is there will that remain. Mr. Kurtz stated that it will remain.

Mrs. Spinner stated that she was unable to be present at the Planning Commission meeting and asked if there were any comments or questions that they resolved. Mr. Wohlwend stated that there were no issues. Most of the comments were about landscaping. They will present a detailed landscape plan for final zoning approval. Some of the other questions were about the area at the front on the west side of the site that allow the fronted area to be redeveloped in the future for additional commercial. They think that is going to spur more development in that area, so that would be the next phase and they are going to look at that relatively soon.

Mrs. Spinner asked about the estimated start and completion time. Mr. Wohlwend stated that they are looking at an early summer start and a late summer, early fall completion date. Hopefully, it will be operational this fall.

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Mr. Stams moved to bring out Temp. Ord. A-15 with a favorable recommendation, second by Mr. Sieferth. Motion passed (4-0).

The meeting adjourned at 7:13 p.m.