

MINUTES OF PUBLIC HEARING

September 16, 2024

Temp. Ord. A-70

An ordinance approving a zoning map amendment for 2831 Bailey Road from R-4 urban density residential to MU-2 neighborhood center, and declaring an emergency.

On the 16th of September, 2024, at 6:30 p.m. EST, public hearings were called to order and conducted regarding Temp. Ord. A-70 dealing with amending specific sections of the Codified Ordinances of the City of Cuyahoga Falls, Ohio. Notice of the hearing was published in the Akron Legal News on July 31, 2024 and August 7, 2024. A true and accurate copy of the published Notices are attached to these Minutes.

The Applicant is requesting that the zoning classification for Parcel 02-03538 (2831 Bailey Road) be changed from R-4 Urban Density Residential to MU-2 Neighborhood Center. The map amendment will allow the applicant, Tim Carrabine, to improve the vacant lot into a parking lot for his business, Tim's Pizzeria, located at 2823 Bailey Road, which will provide a positive investment in this neighborhood center. The parking lot will be subject to the Development Code standards with respect to the surface and screening/buffering requirements.

Ms. Diana Colavecchio, Community Development Director, spoke in favor of Temporary Ordinance A-70. She stated that this is a zoning request to do something slightly different from what is normally done. In the past, they have asked for zoning requests where they have taken a lot, plot or parcels of commercial or employment-zoned properties and rezoned them to residential so that they can build large residential neighborhoods. In this ordinance, they are asking Council's permission to rezone one small parcel from zoned residential to mixed use so that it can be used for a parking lot. This parcel currently is owned by Mr. Tim Carrabine. Mr. Carrabine runs and owns a small business known as Tim's Pizzeria on Bailey Road.

The Community Development Department fully gets behind this and supports this rezoning. The whole area where Tim's Pizzeria business sits is what is called a Neighborhood Center consisting of mixed-use parcels. There is the Bailey Road Tavern across the street and a gas station, yet it is surrounded by residential buildings. The City has several Neighborhood Centers throughout the city. The code requires that parking be adjacent, so they had to expand their lens and take a larger look at what happens in the district and certainly with respect to Mr. Carrabine's parcel. This parcel is across the street from his business, but there is no question that it is adjacent to a business. His business does not have existing onsite parking that is sufficient to accommodate the number of patrons that even the Fire Department says he can seat in his restaurant. The parcel will be improved. From

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the perspective that the City would be helping a small business owner and improving the esthetics in this center, they support this proposal.

Mr. Rob Kurtz, Planning Director, spoke in favor of Temporary Ordinance A-70. He stated that the parcel is located on 2138 Bailey Road on the corner of Bailey Road and Erie Street. It is currently zoned R-4 and is currently to be rezoned to MU-2 Neighborhood Center. This will allow Mr. Carrabine to improve the vacant lot across from his business into a compliant parking lot. Currently, it does not meet the code for a commercial parking lot. He has provided a conceptual site plan for that parking lot. This ordinance is just for the rezoning; it does not approve the parking lot. That parking lot will be approved administratively. Staff will review the final construction plans and act on them. Again, the rezoning will allow him to put a parking lot there. It rezones the property to anything that is allowed in an MU-2 district; however, given the size of the parcel, it is unlikely that an office or a restaurant or a building would be built there. The parking lot will have to comply with the lighting and buffering and screening standards and surface of a parking lot, concrete or asphalt.

Mr. Tim Carrabine, 406 Magnolia Avenue, Cuyahoga Falls, owner of Tim's Pizzeria and Pub, spoke in favor of Temporary Ordinance A-70. He stated that he started the business in 1984 in Cuyahoga Falls at the State Road Shopping Center and then went down on Front Street next to Chelsea's. He sold that, but, in 2011, he got back into the restaurant business, used the same name and actually got the same phone number. All three of his children have worked there. Two of them still work there. They took a building that was in terrible shape and redid the building. It could have been an eyesore in the neighborhood. It was vacant two years and, before that, it was a nasty bar. He has done everything in his power to make this a family restaurant. They have put a lot of people to work in the city. They have donated to a lot of teams and schools. They have done everything to help the community. What they are asking for is for the City to allow them to be able to increase their business so it can grow in the future for his daughters. He wants them to take on this company after he is not doing it anymore. If they have more parking spaces, they will do more business and they can make more money, too.

Ms. Bridget Carrabine, 417 Morrison Avenue, Cuyahoga Falls, spoke in favor of Temporary Ordinance A-70. She stated that she is one of Tim's daughters and has worked there since they have been opened. She is the general manager. They have many problems with the parking. Not only do people not have a place to park, but people will back out of the parking lot and go into the ditch. At that point, they have to call a tow truck. That has always been a huge problem. On a Friday night, they will have a party of 30 in the back room and nobody sitting up front. They are losing so much business because people are seeing a full parking lot thinking there is not going to be anywhere to sit and they go to the next place. They try their best to be a family place. They have signs on the patio asking people to keep it down.

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They make sure that there is no crazy language. There has not been one fight in their place since they opened. That is kind of unheard of for serving alcohol. People come there because they feel comfortable to bring their children in. They are a staple in the neighborhood. They have put their whole lives into the place and they really need this. If this ordinance does not pass, they have no potential to grow. They are at their maximum.

Ms. Ella George, 2562 Front Street, Cuyahoga Falls, spoke in favor of Temporary Ordinance A-70. She stated that they love the restaurant and it is their favorite pizza. They hate the parking lot, so they do not stay to eat in the restaurant. Having better parking spaces would be great for them, especially because it is hard to see and it is hard when people back up into the street. She asked if they have handicap accessibility. Mr. Carrabine stated that they have a back door with a ramp. If they are notified, they will make it available. Ms. George asked if they would have handicapped spaces in the parking lot. Mr. Carrabine stated yes.

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, September 16, 2024.

Dated: September 16, 2024

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

City of Cuyahoga Falls, Ohio

Notice

City Council Public Hearing

Notice is hereby given that there will be a Public Hearing in the Council Chambers in The Natatorium, 2345 Fourth Street, Cuyahoga Falls, Ohio on Monday, September 16th at 6:30 PM relative to the ordinance bearing Temporary Number A-70.

Temp. Ord. A-70

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR 2831 BAILEY ROAD FROM R-4 URBAN DENSITY RESIDENTIAL TO MU-2 NEIGHBORHOOD CENTER, AND DECLARING AN EMERGENCY.

By Order of the Clerk of Council,

Dana Capriulo

Akron Legal News

July 31, 2024

August 7, 2024