

**The COMMUNITY DEVELOPMENT COMMITTEE held a Meeting on TUESDAY, OCTOBER 11<sup>TH</sup>, 2022 beginning at 6:02 P.M.**

**CD PRESENT:** Co-Chair Mitchell, Schneider, Lipian

**FINANCE PRESENT:** Chair Stewart, Tollett, Cerra, Davis, Schneider

**OTHERS PRESENT:** Mayor Whitfield, Asst Law Dir Breunig, Safety Svc Dir Brubaker, Asst Dir Calvert, Fin Dir Pileski, Engineer McKillips, Water Team Leader Jacob, CD Manager Almobayyed, CD Director Scott

**1. Approval of the Regular CD Meeting Minutes ~ September 26<sup>th</sup>, 2022.  
Motion made by Mr. Schneider, second by Mr. Lipian to approve the 'said' committee meeting minutes.**

**2. The matter of a Liquor License Transfer Request from: Khaireddin F Sabbah, DBA Eddie's Club, 1433 Lowell St. to be Transferred to: B&J Ent, DBA Eddie's Club, 1433 Lowell St. [Permit Class D5]**

Referred By: Ohio Division of Liquor Control

*\* Note: There are no issues reported by the Safety Service Dir and Police Chief. And there are no zoning issues reported by the Building & Zoning Official*

**Mr. Lipian made a motion that the City of Elyria Does Not Request a Hearing on this Liquor License Transfer and Mr. Schneider seconded that motion.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

**3. The matter of a request of a Conditional Use Permit for a 'Drive-up Window' and changes to the Parking Lot at the Lorain County Veteran's Service Building located at 1230 Abbe Rd., N**

Referred By: Lorain County Commissioners

*\* Note: This matter was passed by Planning Commission on September 20<sup>th</sup> with **No Conditions**.*

The applicant was not in attendance but Building Official Farkas came to the microphone to explain this matter.

Mr. Farkas said when this came before Planning Commission the agenda item was only supposed to be directed toward a conditional use request for the 'drive-up' window, not the parking. The parking changes were not part of the review and was supposed to be submitted separately. Since then, we have rec'd information on the Parking changes from a Design Review standpoint. The Zoning is almost compliant contingent they do some screening adjacent to the residential area. But that should not be before the committee this evening.

Law Dir Breunig said the request is for a conditional use permit pursuant to 1156.04(a) for drive-in facilities. The parking areas is being excluded at this time.

Chair Mitchell read the committee report.

**Mr. Lipian moved and Mr. Schneider seconded to recommend an ordinance to authorize the 'said' conditional use request at 1230 Abbe Rd., N.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

**4. The matter of a request to rezone the property at 483 Abbe Rd., FROM Residential-Medium Density District TO Business-Neighborhood District.**

Referred By: William Holland

*\* Note: This matter was passed by Planning Commission on October 4<sup>th</sup> with **No Conditions.***

Mr. Farkas referred to his report which was submitted to Planning Commission and explains his findings. He said this is a unique zoning district as it was quasi combined with business neighborhood and a proposed future residential development. There would have been half a cul-de-sac which never came to be. But it was on residential for the potentiality of new homes. The current ownership has unique struggle in regards to this parcel being business-neighborhood on one side and the other half being residential. He is in favor of the request to rezone it to business neighborhood, it would consolidate it the entire property as one consistent zoning district and would be more conducive for future growth.

Law Dir Breunig asked if the appropriate legal descriptions have been submitted?

Mr. Farkas said he doesn't have the legal descriptions and pulled the parcels off of the Lorain County website.

**Mr. Schneider moved and Mr. Lipian seconded to recommend an ordinance to authorize the 'said' rezoning request for 483 Abbe Rd.**

**MOTION MADE**

**COMMITTEE REPORT WRITTEN**

**5. The matter of a request to Rezone the property at 1100 Gulf Rd., FROM Residential-Medium Density District [R-MD] TO Residential-Multi Household Low Density District [R-MHL]**

Referred By: Mapple Waffles Land, LLC

*\* Note: This matter was passed by Planning Commission on July 5<sup>th</sup>, 2022 with Conditions, that Deeds and Easements are to be recorded with the Lorain County Recorder's Office.*

The applicants are in attendance; 1.) Janet Wang, 1100 Gulf Rd., Elyria, 2.) Angelo Corna, Villas of the Valley Development, LLC, 20575 Center Ridge Rd., Rocky River.

Mr. Corna said the property is Valley of the Eagles Golf Course which currently consisted of 17 different parcels. They requested a lot consolidation which was approved by Planning Commission. The land also consisted of multiple zoning districts among the 17 parcels. They wanted to do some housekeeping and want to transfer everything into 3 distinct parcels. They would like them to be the same zoning classification of R-MHL.

Mr. Farkas said some of those parcels were open acreage and were part of the golf course. The intent is to accommodate a future proposed subdivision. In order to clean up the parcels, there were many zoning districts that wouldn't work for what the proposal is meant to be. They decided to rezone the entire slate, all 17 parcels and then split off to the golf course and the proposed subdivision. From a zoning aspect, this would make it much cleaner, in regards to the proposed subdivision, as far as the Housing Development so this zoning district would be granted via a conditional use would be the 2<sup>nd</sup> step.

The deeds and assessments were recorded which were part of the Planning Commission recommendations.

Law Dir Breunig said he wants to make sure we are rezoning the right pieces. He understands there were splits and consolidations. He has legal descriptions comprised of 31.9768 acres and asked if that is correct.

Ms. Wang stated the correct acreage is 32.54529. The rezoning is for the entire 195 acreage of parcels and after that the 17 slot will be consolidated and split into 3 different parcels; 1 of the 32.5 acres would be for the residential development, with the remainder of the other 2 parcels, consisting of north parcel and south parcel will remain as the golf course.

Mr. Breunig asked about the legal description that he has which is for 195 acres which he thought was the remainder parcel which is getting rezoned.

Ms. Wang said the deed with the 3 different legal descriptions was shared with the City Council Office last week. The total acreage to be rezoned was 195 and after the split 32.5 will be used for the proposed residential development. And the balance of 165 that will remain the golf course.

Mr. Farkas said this was heard by PC in July and they approved the rezoning for all the 17 parcels that were listed in his memo. The plat was reviewed and was discovered that it did not match the original submittal, which is why they had to reset and go back thru the process. The parcels have not changed in regards to the entire site to be rezoned. They will split it off and have 2 or 3 distinct parcels of land that will be zoned the same, just one will be the golf course and one will be the proposed housing development.

Ms. Wang said because there are 3 parcels as opposed to 2 is because there are 2 residential areas; one is adjacent to Gulf Road, at the top of the plateau and there is a residential street that's connecting the two residential lots together and that's why the golf course got split into two separate parcels, which equals 3 parcels.

Dir Breunig asked if they have the newly assigned permanent parcel numbers?

Ms. Wang said yes, and everyone has a copy of the deed.

Dir Breunig said they are doing multiple things at the same time, a split in combination and in conjunction with the rezoning and rezoning part of what was split and combined so he needs to make sure what the committee is doing is in line with what they are asking.

Jim Taylor arrived at the meeting and he was asked if there are parcel numbers for this deed. Mr. Taylor introduced himself, Jim Taylor, City of Elyria Administrative Legal Counsel.

Dir Breunig said he's not clear on exactly what parcels now after the splits and combinations that we're actually rezoning. He wants the parcel numbers on the record that are being rezoned.

Mr. Taylor said he ran into Ms. Wang at the Lorain County Auditor's Office and they spoke to Ted in the Mapping Dept. They weren't correct at that point that Ted told her that Mapple Waffles had to create a remainder parcel, so they had the golf course split into two parcels. Originally, they thought they were allowed to just have a remainder, but Ted in the Map Dept. said no, they would have to have two, which would be the golf course and the portion that would be the development.

Erik said there is a 32 acre parcel on a quick claim deed, which is the split deed. There is no parcel number on the deed.

Ms. Wang was able to show Mr. Breunig where the parcel numbers are listed.

Chair Mitchell said this should have been ironed out before the matter got this far. So, if we're not ready to go with this we can table it??

Dir Breunig said we should be fine as long as we know what we're rezoning and he has the correct parcels now and the total acreage is the entire 195 acres which is now split up into 3 small pieces. It is being rezoned from RMD-Residential Medium District to Residential Multi-Household Low Density. If the committee is okay with the density and they understand what parcels are being rezoned. If the committee is okay with moving forward, he's okay with it. Now that we have the right parcel numbers and the right legal descriptions.

Chair Mitchell said we're spending too much time on this, it should have been worked out before this meeting.

Mr. Lipian suggested the committee take a 5 minute recess.

**Motion was made by Mr. Lipian that the committee takes a 5 minute recess and that motion was seconded by Mr. Schneider. All in Favor, Motion Carried.**

Chair Mitchell said the 5 minute recess is up and they have decided to table this matter to give all parties the opportunity to figure everything out.

**Chair Mitchell said this matter is tabled until the next Community Development Meeting which, will be October 24<sup>th</sup> at 6:00 P.M.**

**6. The matter of a request for a Conditional Use Permit to accommodate a proposed Residential Planned Unit Development [R-PUD] in a Residential-Multi Household Low Density District [R-MHL] at 1100 Gulf Rd.**

Referred By: Mapple Waffles Land, LLC

*\* Note: This matter was passed by Planning Commission on Sept. 20<sup>th</sup>, 2022 with **No Conditions.***

**Chair Mitchell said this matter is also tabled until the next Community Development Meeting, which will be October 24<sup>th</sup> at 6:00 P.M.**

There was a resident in the audience who wanted to speak on this matter.

**Mr. Wayne Ramsey of 116 Vista Ct.** and his request was to table this, which is what was decided to and he appreciates the committee doing that.

Mayor Whitfield also thanked the Chair and the committee for allowing this to be considered at a future meeting. The information is there, and it needs to be better organized and presented.

**Chair Mitchell stated that was the last item for Community Development and she asked Finance Chair Stewart to call Finance to order which he did and the JOINT Meeting of Community Development and Finance began at 6:35 P.M.**

The Community Development portion of this evening's meetings ended at 7:05 P.M. and Chair Mitchell asked for a motion to Adjourn:

**Motion to Adjourn was made by Mr. Schneider and seconded by Mr. Lipian.  
MOTION CARRIED AT 7:05 P.M.**

*Finance Committee Continued there meeting.*

Respectfully Submitted by,  
Colleen Rosado, Secretary to Council/Administrative Assistant  
CMR/