

The COMMUNITY DEVELOPMENT COMMITTEE held a Meeting on TUESDAY, OCTOBER 24TH, 2022 beginning at 6:02 P.M.

CD PRESENT: Chair Callahan, Mitchell, Schneider, Lipian and Oswald

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

OTHER COUNCIL MEMBERS: Simmons

OTHERS PRESENT: Mayor Whitfield, Law Dir Deery, Safety Svc Dir Brubaker, Asst Dir Calvert, Fin Dir Pileski, Asst Fin Dir Farrell, Engineer McKillips, HR Dir Yousefi, WWPC Supt Korzan, CD Manager Almobayyed, CD Director Scott, Lise Day, Public Information Officer Cloud, Chief Pronesti, Chief Pelko, Parks Dir Reardon

1. Approval of the Regular CD Meeting Minutes ~ October 11th, 2022.

Motion made by Mrs. Mitchell, second by Mr. Schneider to approve the 'said' committee meeting minutes.

2. The matter of a new liquor permit for Ohio Springs Inc. DBA Sheetz, 38265 Chestnut Ridge Rd., Elyria.

Referred By: Ohio Division of Liquor Control

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

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

MOTION MADE

COMMITTEE REPORT WRITTEN

3. 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] [Tabled from October 11th CD Meeting]

Referred By: Maple Waffles Land, LLC

** Note: This matter was passed by PC on July 5th, 2022 with Conditions, that Deeds and Easements are to be recorded with the Lorain County Recorder's Office. (Those Conditions have been met).*

Applicants for this matter are Anthony Giardini, 520 Broadway Ave., Lorain, attorney representing the owner of Maple Waffles Land, LLC. and Angelo Corna, Villas of the Valley Development, LLC, 20575 Center Ridge Road, Rocky River, Ohio.

Mr. Giardini said he wasn't at the previous Committee Meeting but he understood that there were questions on the parcels. (A copy of the survey map was placed on the overhead projector). One of the questions that came up was how many parcels there were and what was the request in terms of the rezoning. The answer is that the entire golf course property, the old Spring Valley Country Club which is approximately 195 acres is being split into 3 parcels.

The reason for the 3 parcels is because the PC and Building Dept. wanted the residential portion of the development to be one continuous parcel. Looking at the map, (which will be a part of these meeting minutes as Exhibit A), everything that is yellow is what they will refer to as the split residential parcel and consists of 32.459 acres. The long narrow piece connects the two larger pieces was done because the PC and Building wanted the residential portion of the development to be one parcel of land. It was originally intended, but the client agreed to deed that connecting parcel to the large parcel and the smaller up front parcel which is closer to Gulf Road. When they did that, they split the golf course, which is approximately 18.3 acres, which would be the south remainder parcel that would be the south and east of the yellow.

Then there's a 144 acre parcel, which is the north remainder parcel and those two parcels combined represent the entire 18 holes of the golf course, plus some additional land. Because they split the golf course they had to have easements going between his client who will continue to own and operate the golf course and the buyers of the residential parcel who will build homes there. Nothing will ever be built on that narrow yellow piece. Essentially it will be a roadway to get you from one part to the other. The easements will come into play because golf carts will cross it, cars will cross it. It will be used for a variety of ingress and egress to the large residential parcel and to the smaller residential parcel as well as the golf course guests to use it to go back and forth as they go from one tee to the next. There is about 160 acres that his client will retain for the golf course and split into two parcels.

The other question that came up at the last committee meeting was, is this all being rezoned the same way? And the answer to that is yes. The property used to be about 15 parcels of land and 5 or 6 different zoning classifications and the Building Dept and administration wanted it all consolidated, which has been done and then the split parcel gets split it can be sold. It was important to the City and acceptable to his client that they have the same zoning for the whole property. It's a RPD type zoning because it's a plan development and we already know what is there on the remaining piece, which is the golf course, event center, restaurant and bar which will continue. The housing part speaks for itself and it's subject not only to zoning but to a conditional use permit so that the developer will have to meet certain requirements about what they build and how they build down to the streets, etc. In terms with what this committee is dealing with tonight, everything that was requested has been submitted including an emergency access road easement which would come off of Gulf Road. There would be an additional emergency access road to the south of the main entrance. That access road would only be used for emergencies. The roadway will be placed where a fire truck won't have to drive across the fairway.

Chair Callahan thank Mr. Giardini and asked if there were any questions.

Mr. Oswald asked about the comment that was made about the fire trucks having a road to get back. That will be a stickler. That will be a question that will have to be addressed at the right time and also the additional amount of cars that will be using the road on a daily basis, safety will be a main issue moving forward. He asked if that small portion in the south area is landlocked?

Mr. Giardini said no it's not but aside from the fact that it fronts on Gulf Road, that's why they have to do the easements. Anytime a property sells off a part of their land, they have to give the back land direct access to a public roadway or give access by way of easement.

In this case the parcel that is being referred to is fairways and greens and tees are on that parcel and fairway. The golfers have to be able to get to the next hole. That's why in the deed that already been recorded that created the split, that deed retained to the granting parcel, the dominate parcel and easement for itself so it can get to and from it's own property. At the conclusion of the lot split assuming it's approved, Maple Waffle Land which is his client, will have access to that 18 acre parcel by way of an easement that it has retained to itself. After this lot split is done, his client will own all 3 parcels. Eventually, the plan is to sell the yellow parcel off to the developer. Those easements run with the land forever. Nothing can ever be built on the narrow piece of land that connects the two parcels.

Mr. Tollett asked if Vista Court be affected with traffic at the top of the hill and any egress?

Mr. Giardini said no, absolutely not. It won't be a part of the rezoning or anything else regarding any of the parcels.

Dir Deery asked if that what we're dealing with now is just the 3 parcels?

Mr. Giardini said yes, though technically now, it's one big parcel but once approved, it will be 3 parcels.

Mr. Lipian asked if there is to be development on these properties of areas that have not previously been developed, is that correct?

Mr. Giardini said that is correct.

Mr. Lipian asked about flooding because we're reducing our stock of fields that absorb rain water and he asked Supt. Korzan how this might impact the flooding in the area or in the larger flooding plan of the City in general?

Supt. Korzan said his department has not taken a look at this. Since the river runs back there, the drainage will be integral to the river therefore he doesn't see how that will affect anything as far as the collection system or storm sewers. He would have to defer to Engineer McKillips. That property has it's own private pump station for the sanitary sewage and it pumps into the interceptor on Gulf Road. But they haven't evaluated that. That's all the info that he has at this time.

Chair Callahan asked if there were anymore questions, there were none.

Mr. Schneider moved and Mr. Lipian seconded to recommend an ordinance to authorize the 'said' rezoning request for 1100 Gulf Road.

MOTION MADE

COMMITTEE REPORT WRITTEN

4. 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: Maple Waffles Land, LLC *[Tabled from October 11th CD Meeting]*

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

Angelo Corna, Villas of the Valley Development, LLC, 20575 Center Ridge Road, Rock River and Dave Kohler, also with Villas of the Valley Development, LLC.

Mr. Corna said the Conditional Use that they are asking for is in regards to the 32 & ½ acre parcel. They've been talking with the City for over 12 months. After much discussion they've come up with this plan, which will entail 157 single family lots. There is already a purchase agreement in effect with K Hovnanian Builders to develop and build the 157 single family homes. There is also 54 multi-family town home units in the smaller parcel to the east.

Mr. Dave Kohler added further background on this, there was a project proposed and approved about 10 years ago for 200 apartment units. That never happened and now they are proposing single family homes on individual lots. The demographics now will support more of mid to upscale homes rather than apartments.

Mr. Oswald said the main concern right now is safety with residents in that area those who drive down Gulf Road every day. He said it will be important to have a good turning lane and egress to go in and out of the development and access for fire trucks to be able to get to the far back area of where the homes will be built.

Mr. Kohler said Mr. Oswald's points are well taken. They will be building homes

here for people that will make a major investment and will have those same concerns. There is a lot to do in the engineering phase and those issues will be addressed.

Building Official Farkas said now that the rezoning has been established for the subdivision, the next step is the conditional use request. This will allow the proposed type housing they want to put in this development. If this passes, the next step is the preliminary subdivision submittal which will bring up the questions that Mr. Oswald brought up; ingress, egress, depth of dead-end cul-de-sacs, etc. These 2 phases are necessary, the real concerns in regards to the subdivision will be brought up in the subdivision phase. Variances that may be needed, other conditions the fire dept or police may bring up.

Resident from the audience came up to speak to the committee:

Robert Childers, 1048 N. Pasadena said if there are roughly 200 units, suppose each resident has 2 vehicles, that's 400 vehicles trying to get onto Gulf Road. He just wanted to bring that to the attention of the committee.

Mrs. Mitchell moved and Mr. Oswald seconded to recommend an ordinance to authorize the 'said' conditional use request at 1100 Gulf Road.

MOTION MADE

COMMITTEE REPORT WRITTEN

5. The matter of a the over population of deer in certain areas of the City.

Referred By: Ward 4 Councilman Oswald (Discussion only)

Mr. Oswald began by saying this has been brought up before and since then the deer are multiplying and their walking up and down the streets in the Spring Valley area. When the houses get built at the Valley of the Eagles that will be less places for the deer to live and they will continue to wander the neighborhoods. It's becoming a safety issue and a nuisance. He's not sure if there is anything we can do. He was told by Director Brubaker that if it's an issue where the deer are on private property, it's for discussion at this time to find out what our options are. He has had a lot of residents who have voiced their concerns with him and he wanted to bring it up.

Supt. Korzan said the Waste Water Plant is nestled around the Metro Parks. There are many deer on the property and around the property. They advise the employees to be wary during the fall season and beware as they are driving to work. When you see one crossing the road there are 2 or 3 or 4 behind it.

Mr. Lipian said he loves to see those deer on foot but loathes to see on the road, they can pop out and anyone can hit them. He has actually seem them out galloping around Eastern Hts area in the past. Seer can do a lot of damage in the eco system. It would be interesting to see if there is some sort of solution that can be crafted in collaboration with the Metro Parks.

Resident Carol Hobert of 440 Olivet Dr. said she has neighbors who feed the deer. This situation needs to be resolved. She sees herds of deer walking up and down here street they leave babies in yards. Yes, they're beautiful but so destructive. Somehow the city needs to let the residents to not feed them. If you don't feed them, they will stay in the woods.

Karl Bonnett of 1052 N. Pasadena Ave. said this problem was addressed several years ago and the City did nothing. Now, it's multiplied He said he had 4 bucks in his yard and running down the streets. It's a major problem that has not been addressed. There's no excuse why they can't have a curie, a deer kill once a year in this city.

Other communities are doing it and it's been successful. Can we have a cross bow or scope hunt once a year. They could use the golf courses or the parks to do the hunt and donate the meat to food banks. Let's address this problem once and for all.

Chair Stewart said he remembers those meetings in the past and what options we have within the city limits and with working with the Metro Parks. One of the concerns is if they will hire a lottery of deer hunters to come in who are qualified and certified. One of the big concerns that was brought up was with a bow, was if it wasn't a direct hit or kill that this would go into the road and cause another accident that way. We could revisit it and work with the Metro Parks and the Police Dept. to see what our options are.

Tiffany Ready of 113 Williams St. said she had a suggestion that there are natural ways to repel deer. Plants and herbs and sprays which will repel them.

Jim Jablonski of 32 Asbury Lane said this is really a much larger problem and more than a statewide problem, it's a national problem. They are also destroying the environment for other animals. The environment is being degraded by their over numbers. They've experienced predation throughout their existence and there are no predators anymore, other than our cars that can take them out. Something serious has to be done and he would agree with any approach the City takes.

Kevin McCullough of 1045 N. Pasadena Ave. said he has pictures of many deer in his side yard. He's seen up to 11 deer at one time. And who's going to clean up the deer business that is left in resident's yards.

Mr. Lipian said in light of what the committee has heard this evening it would behoove us to readdress this after we've engaged with some of the options. He offered an option which might be placing a reminder in the water bill 'not to feed the deer and to be aware that they're out there and to drive safely. And perhaps to have discussions with the Metro Parks and see if we can't find some solution especially since we share property with them.

Mrs. Mitchell said this issue did come up many years ago and one of the suggestions was to call the herds the population and there was public outcry. The public did not want the deer killed. It is a problem, we keep taking their homes so they have no where to go but in our neighborhoods.

Mr. Tollett said one of the solutions that's used around the country is not a kill, it's a sterilization product through chemicals which stops the repopulation which is done humanely.

Chair Stewart to called Finance to order and the JOINT Meeting of Community Development and Finance began at 7:05 P.M.

**Motion to Adjourn The Community Development portion of this evening's meetings was made by Mr. Lipian and seconded by Mrs. Mitchell
MOTION CARRIED AT 7:48 P.M.**

Finance Committee Continued their meeting.

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