



CITY OF OLMSTED FALLS  
PLANNING & ZONING COMMISSION  
MINUTES  
JULY 30, 2018  
7:30 PM  
COUNCIL CHAMBERS

Commission Members Present : Brett Iafigliola, Tony Budak, Peter Carpenter, Michelle Hawkins, and Jim Haviland. Gary Pehanic was excused.

Others Present: James Graven, Mayor, Odis Rogers, Police Chief, George Smerigan, City Planner, and Paula Accordino, Economic Development Director. Audience: 23

Chairman Brett Iafigliola called the meeting to order at 7:31 p.m.

**1. Planning & Zoning Case #09-2018** - Consideration for a recommendation from the Planning and Zoning Commission regarding a proposed amendment to the zoning classification for PP No's 281-22-022; 281-22-021; 281-20-055; 281-17-010; 281-17-011; 281-17-012; 281-17-016; and 281-17-017, consisting of approximately 8.64 acres located along Brookside Drive, from P-1 "Professional and Medical District" and I-2 "Industrial Manufacturing District" to MUTND "Mixed Use Traditional Neighborhood District."

Mr. Smerigan stated that there was a question raised as to whether the rezoning would force the railroad club out of the city. That is not the intent of this request, the intent is to provide them with some additional opportunities they currently do not have. We consider this club to be an essential part of the downtown area and there is certainly no intention to force them out of the city. Another question was why change the zoning and why is the area not viable as it is. This area is not viable as is as it does permit retail use; it is zoned for office and industrial use; no retail or residential. In the city's opinion, the comprehensive plan that was prepared, and the Juniper report the most appropriate use adjacent to downtown is mixed use development which would permit retail uses along with the other uses. This will allow for the expansion of the downtown which we believe is in the best interest of all the residents of the city. There were questions regarding matching the character of downtown; in his response he provided several quotes from the MUTND district that indicate that there is every intent this would be compatible with the downtown architecture and the downtown character. That is certainly what we are trying to do; we are trying to enhance downtown and add to it, not detract from it, so the idea is that the character would be consistent with the character as established in downtown at the present time. We had some questions as to why the rezoning did not go further; we are doing this on an incremental basis; these properties were considered to be the ones that are most ripe for development and continuation of the downtown area. That is not to say that the district couldn't be expanded beyond that in the future but we are taking this a step at a time. There were a lot of questions regarding the role of the Architectural Board of Review, he has previously explained this but will explain again, ABR's role is to deal with architecture in the historic district. They review development plans relative to buildings to make sure those buildings are consistent with the historic district. ABR has no role with regard to rezoning; they do not have a function in this process, the two bodies that have the determination relative to zoning are Planning and Zoning Commission and City Council. He also noted in his response that there are seven different zoning classifications in the historic district; so, the zoning is irrelevant to the ABR's role. Their role is to look at the architecture, look at the buildings, not the zoning, the zoning is the Commission and Council's job. There

was a question as to the types of uses we were likely to see here. Again, there was discussions about small boutique type stores; that is what we are talking about; not Walmart you couldn't get Walmart on 8.6 acres and that is not the intent. The intent is a continuation of what we have currently established downtown. We have a very unique and historic downtown with a well established character and the idea is to continue to build on that and enhance that and do things that are compatible and consistent with it. There are vacant properties in this district which is why these properties were selected because they are presently right for development. There was a question regarding tax abatement. This is a rezoning not an abatement question. Tax abatement is a totally different issue from rezoning and the Commission has no authority regarding tax abatement as the commission members are well aware. Abatement is possible regardless of zoning and is a totally different process. We are dealing simply with the future use of the land. The reason this process is began is due to the recommendation he made to City Council to initiate the process on these parcels as he believes they are the most right for change. He did this based on the recommendations contained in the city's master plan which was recently adopted by Council and consistent with the recommendations from the Juniper report which was an attempt to enhance the economic vitality of the city. He still believes these changes are appropriate and realizes that not everyone agrees and not everybody is necessarily happy but his job is to do what is best for the majority of the city. He believes the economy of the city will be enhanced by this rezoning and that all the residents will benefit from that enhancement. The chairman raised a question about whether or not there were specific projects; there are no specific projects at this time. There is interest in the old city service garage site but nothing has happened with that pending the rezoning. There was a question raised regarding the difference with the current zoning. As he previously explained the current zoning is very limited and does not allow for an expansion of downtown; it provides for industrial and office uses only; the MUTND district would allow for retail, residential, as well as office. He believes that he addressed the comments regarding why these parcels. The question regarding where else in the city is the MUTND zoning; it is also the entire Columbia Road corridor. If you will recall we rezoned when we did the overall update and it is the area that is sometimes referred to as "the Boyer property" north of City Hall. This classification was a recommendation from the master plan which was prepared by Cuyahoga County Planning Commission. If there are any other specific questions he will be happy to address them.

Mayor Graven thanked everyone for attending tonight's meeting and is happy that everyone cares about the community and its future. While we might all have different perspectives about the rezoning issue before us, he believes that we all share a great hope for our city. The administration believes that this rezoning will pave the way for the highest and best use of both the city property and surrounding properties. First he would like to thank his staff, Mr. Smerigan, the law director Andy Bemer, Economic Development Director Accordino and the police chief for working on this issue and their thoughtful consideration on this issue. Please do not lose sight of the fact that this is not a new idea, this has been discussed for over two years. Again, our 2016 master plan adopted by City Council, the Juniper report and also the city planner, these are the words from all of our experts and they all believe this is the proper course of action for the future of our city. He respects everyone's opinion and knows that there differing points of view. He believes that we can agree to disagree on this one issue. Ultimately, he, the administration and Council have to do what they feel is in the best interest of the majority of the city to move the city forward, especially economically and keeping

everyone safe. He believes this change in zoning and expansion of our historic downtown is the best decision. While he is sensitive to all the individual concerns especially those living in the immediate area, he has hope that the decision ultimately, if planning and Council approve, will please the majority of the residents in the community.

Police Chief Rogers stated that he looks at this issue strictly from the perspective of law enforcement, safety and security, traffic enforcement, etc. He does not believe that based on what we already have and the police interaction with that area if this rezoning does get approved that it will increase any kind of proportionate amount of what is happening now. In other words, the problems that he believes individuals think may happen are not happening now. We have four restaurant/bars in the downtown area now and he reviewed three years of incident reports. There was one incident at one established where two buddies were arguing and there were no arrests made. Concerns of public intoxication, public indecency, criminal damaging, etc., we do not have currently and he does not expect if we expand on what is already there that all of a sudden these problems will start happening. He stated that past behaviors and indicative of future behaviors in his line of work. He does not see that happening. He understands that currently one of the big concerns is truck traffic. We have semi trucks going to the post office daily. He would work with Ms. Accordino and the administration to ensure that truck weight limits are adhered to, but he does not foresee any problems with that issue.

**Jack Warning, 7865 Brookside Drive** stated that he is not in favor of the rezoning. He has questions that are not directly part of the zoning but affect the decision of the zoning. First of all we talked about adding restaurants and the information he saw said up to 14, how many restaurants do we have now. Mr. Iafigliola stated that he would like Mr. Warning to finish his comments so that all his questions can be responded to at the same time. Mr. Warning stated that the reason he is asking is because the Police Chief mentioned that currently we have four restaurant/bars now and if that is all they are counting then 10 will be added. If they count all the little ones with it then they wouldn't be adding that many. He lives across the street from the new zoning in a residential area and he has had people ask his daughter if you wouldn't mind having a restaurant across the street, yes he would because of the traffic and noise. Tax relief, we talked about this before and it is not a zoning issue but if we do not get some sort of meaningful tax relief that does affect whether or not the zoning should be approved. His complaint is that there are no numbers, they have been talking about tax relief ever since he moved here 47 years ago. But, he does not see any numbers saying if we have these projects developed here is the increase in taxes and this will filter down to the individual tax payer's and the number they may expect to get in tax relief. He does not believe that anyone has done that as he has not seen any numbers published anywhere. He has seen ridiculous comparisons to Crocker Park and if you go past there it looks like a big factory and does not feel that is a good comparison. If you go to Avon there has been a lot of expansion and it is a zoo out there in terms of traffic, especially at rush hour. This is one of the things that concerns him the most especially with the restaurants coming in. At key time periods we will have a lot more traffic and noise. Fairness to people in the area is not zoned, he covered that with his opinion of having a restaurant across the street. He does not have a problem with light industry but does not want a restaurant with traffic and noise all times of the night. He would like to know what the city in general thinks about this issue. Everyone here is involved in one way or another or they would not be here, but there are 9,000 people in Olmsted Falls and this

will affect everyone. He would like to know what the general feeling is in the city. He stated that walkability is one of the arguments for this request. He does not buy that, the people that are nearby are walking now if they want to get to the restaurants and places, the people who are any distance at all are not going to walk in 90 to 80 degree temperatures in the summer time and they are not going to walk in the winter time. Even if we expand to this limit that is in this present package he does not see that we will get any more people walking than you do now.

Mr. Iafigliola indicated that Mr. Warning has indicated that there could be up to 14 restaurants. Mr. Smerigan stated that there is confusion between the revitalization district and the rezoning. There is no physical way to get 14 restaurants in 8.6 acres, the issue was in the revitalization district which had to do with liquor permits and this is a totally separate issue. Restaurants are permitted in this district but the number 14 is way beyond what would be possible. Mr. Warning indicated that he is not insuating that there would be 14 in the rezoning district, he would like to know how many we have now and how many you could possibly put in the rezoning district. Mr. Smerigan stated that the only way the residents will get tax relief if the non-residential portion of this city develops. We have a viable downtown but the downtown needs to expand and grow if its going to generate revenues to take the burden off the residents. In order to do that, we have to do things like this, we have to allow it to expand and to grow in a natural fashion. We have been doing that, we added the Wine Cellar, rehabbing the old library for restaurant. These things are essential if we are going to generate more tax revenue from the non-residential sector. In terms of numbers, we are discussing the rezoning we do not have a development plan at this point so we do not know what the final use will be so there is no way to project revenues because we are not that far into the process. This will create the potential and opportunity for economic development. Mr. Iafigliola stated that to his understanding zoning is a very high level decision. Is it fair to say that the city is not building anything. Mayor Graven replied correct. Mr. Iafigliola stated that the city is not actively trying to find financing and develop these parcels so Mr. Warning do all due respect to his question he believes that the reason there is no tax relief number is because there is no definitive proposal to share a number with. There is no proposal and that is partly because if a developer wanted to come make such a proposal he would not be allowed to do so under the current zoning. Mr. Warning stated that ever since he moved to the city there has been talk about more development to relieve taxes, in order to use that as one of the reasons to rezone he thinks there should be some idea of what affect that will have on taxes.

Mr. Iafigliola stated that Mr. Warning indicated that he was not in favor of the Crocker Park style and asked Mr. Smerigan could answer simply if there was any indication on what the style would be. Mr. Smerigan stated that we are proposing an expansion of downtown in the established character of downtown. Comparisons to Avon or Crocker Park are misplaced, there is no intention to try and look like Crocker Park we are Olmsted Falls and will look like Olmsted Falls. Mr. Warning replied that he was told by one of the councilmen that one of the possibilities, he realizes that everyone is a possibility at this point, would be to put a restaurant in the old service garage building with possibly condo's on top of it. Mr. Smerigan stated that is a possibility because this is a mixed use district so that is possible. Mr. Warning stated that he understands it would not be the same scale. Mr. Smerigan stated that he believes the comparison's to Crocker Park are made because it is a mixed use development that has restaurants, retail, office and residences all mixed together and that is essentially what the plan

is for the whole downtown area. Yes it is that concept of mixing uses but it is not to look like Crocker Park.

Mr. Iafigliola stated that Mr. Warning also stated that his concern was traffic. Mr. Smerigan stated that the simple answer to this is if we have more development there will be more traffic. We have vacant parcels in this area and are generating no traffic, they are also generating no tax revenue at all, that is not a good thing. You have trade off's and frankly if we do not have something that is successful and generating revenue the fact that there is no traffic just means simply that you will pay more taxes. It is a trade off between these things and any kind of successful development is going to generate some traffic. Mr. Warning stated that is why he asked the question about restaurants and how many restaurants you can add because they are going to create probably more traffic and congestion than anything else, that is why it is important to know how many more restaurants you will have. Mr. Iafigliola stated that is how zoning works, when they who is not the city, if Mr. Warning wanted to open a restaurant you would make application to the city and return to this commission to present the proposal. It is not the city's choice in how many restaurants are placed and how much traffic they generate. Mr. Warning stated that he believes it is very important because that is the biggest issue in his mind.

Mr. Iafigliola stated that regarding the question of the general feel of the city; regardless of what the Commission says this will ultimately go before council and that is our elected officials and is whom you should write to and speak to. He stated that the city charter does not allow or permit a city wide vote, it comes down to our council's opinion on the matter, right or wrong. Mr. Warning stated that we all know what their opinion is but he hopes that their minds would think of what the whole city would be in favor of and not just this particular area, not just how it would affect immediate residents but the whole city. Mr. Iafigliola stated that Mr. Warning has referred to the city as a whole and we both know that the vast majority of people probably do not care either way, but, those in the middle that do care probably have strong feelings like Mr. Warning. He indicated that Mr. Warning has stated that his opinion is that the majority of the people in the city may not support this rezoning. Mr. Warning replied he did not know. Mr. Iafigliola asked why he believes the residents would not support the rezoning. Mr. Warning replied that traffic is going to be the biggest issue, if they are going to go through town they will run into the traffic and that is why he thinks the issue of the restaurants is very important because most of the restaurants will be in this area they will not be spread out all over town and that will create congestion and that will affect everyone. Mr. Iafigliola stated that amongst Mr. Warning's other concerns his biggest concern is traffic and that is why the city as a whole would not support the rezoning. Mr. Warning stated that is what he hopes.

Mr. Smerigan stated that he would like to point out when the comprehensive plan was being developed there were focus groups, public meetings, and this is not something that was pulled out of a secret drawer, it was developed by the comments from the individuals who were a part of the focus groups, part of the stakeholder meetings and those who attended the public meetings to discuss the plan and they supported the concept of this rezoning. To ask what the feeling of the city is, well the feeling of the city that was articulated during these meetings was to enhance and expand downtown and create this type of development that is why it is a specific recommendation included in the plan. This was not completed in isolation but rather as part of the public input. Mayor Graven stated that from the feedback he has received from

residents all over the city have indicated that they would like to see vacant buildings filled and that they would love to have restaurants here rather than going to Berea, North Olmsted or Westlake. As he stated earlier he understands that there are some individuals in the immediate area that do disagree. Mr. Warning indicated that there seems to be a fixation on more restaurants and he does not fully understand that, you can drive to Berea in 10 minutes and North Olmsted in 10 minutes so he does not think that restaurants should be the prime reason for this.

**Georgia Diamantis**, is representing the Nafpaktian Cultural Foundation located at 7890 Brookside Drive. She is one of the properties being impacted by the rezoning. She is in favor of the rezoning. When the property was purchased the elders misunderstood the zoning. Currently we have 150 members but cannot use the property the way we would like to. The property is vacant 95% of the time, we basically use the facility three times a year for a few member events and possibly once a month for board meetings. We have a concern about safety and vandalism since the property is always vacant. Mr. Iafigliola stated that Ms. Diamantis indicated that the property could not be used the way the organization wished and would like to know what they would like to do and would it be possible if the property was rezoned. Ms. Diamantis stated that we would like the members to be able to use the property for their own personal events, such as birthday parties, anniversaries, or graduations. It would probably be used as a catering hall, not that we would hire a caterer but we would like to do cooking classes because our main purpose is to pass down our traditions to our children. We could eventually open the facility to residents as well. We do not intend to impact traffic or have any semi's coming to the facility because this is a small building that can hold at most 90 people and is nothing that would impact the area negatively.

**Katie Gross, 7244 River Road**, stated that she is not in favor of the rezoning. She did participate in some of the meetings under the previous administration regarding getting the voice of the community as far as how to help Olmsted Falls move forward and the feedback she provided was not necessarily about what is being discussed tonight as far as rezoning or adding additional restaurants, it was more how can we get sidewalks where we don't have sidewalks or how can we improve upon the downtown that we already have that has clear issues in and of itself as opposed to expanding a downtown that needs improvement. She stated that she still does not understand why tax dollars are not collected from a medical or professional building, and she would like to know where all the vacant buildings are located on Brookside. There is one across the street from her father's house where there has been a doctor's office for 100 years and within the last six months or so gone vacant. It seems like everyone is talking about all these vacant buildings where there is this horrible feel of homeless people, lets be real, that is not going to happen. Lastly, she has read through quite a bit of the suggestions from the consulting firm that the city brought in and their suggesting a lot of stuff and a lot of really good things that we could be working on to help build Olmsted Falls to help bring people into the city to help make money for the city, cause she knows thanks to the previous administration that is what we really need right now, she does not understand why we are so fixated on this one suggestion when there are so many other suggestions from the consulting firm. Mr. Iafigliola asked which firm she was referring to. Ms. Gross replied the Juniper Study. She stated that the study and the master plan go hand in hand because a lot of the information from Juniper is in the master plan. Mr. Iafigliola asked what Ms. Gross would like the city to focus on. Ms. Gross stated that the focus should be on

the downtown that we already have in existence. There is always open storefronts in Grand Pacific Junction, there is trinket shops that last a year or two and rotate in and out, you cannot keep anyone in there for more than a few years. There is open spots in the Drug Mart Plaza and that does not seem to be a concern for anyone but you get one open office building and then we have to rezone a residential area. She is happy about the Library Steakhouse going in because that was a building that is in the downtown district that had nothing in it for years, one of the oldest buildings in Olmsted Falls that she is happy to see being used in a positive way. She feels that there are storefronts in the downtown area now that needs to be revitalized. A revitalization of a primarily residential area is not good. She feels like we are not calling it what it really is. She believes it is; for a couple of developers in town how to we get them cheaper liquor licenses and this is one way to do it and then we are telling people well its going to help decrease your property taxes; it is not going to do it, a couple of restaurants and a few more trinket shops are not going to do it. They will not make a dent in anyone's property taxes and we all know that.

Mr. lafigliola stated that Ms. Gross asked why the current buildings are not generating tax revenue. Mr. Smerigan stated that the city basically lives on income tax, the property taxes support the schools. If there are no jobs in the building the city is not collecting taxes from that building, a vacant building does the city no good at all. Mr. lafigliola stated that Ms. Gross would like to know where the vacant properties are located. Mr. Smerigan stated that there are two properties that have for sale signs currently which does not include the city property, so three of the eight properties are currently vacant. Mr. lafigliola asked if that count figured in the cultural center. Mr. Smerigan indicated that it does not. Ms. Gross asked which properties. Ms. Accordino stated that considering we are talking about eight properties essentially 50% are vacant or not fully utilized. The vacancy rate for Mr. Williams properties in Grand Pacific Junction is 2% which is much lower than the average vacancy rate in a downtown area. She is working closely with Main Street who's main mission is historic revitalization which is to renovate and restore true to tradition of a neighborhood. They completed a study which indicates that the impact on a small town to have one empty building in a commercial district for one year is potentially \$250,000 in lost sales, \$12,500 in lost sales tax revenue to state and local government; \$15,000 in lost rents to property owner; \$1,500 in lost property tax revenue to local government, \$51,000 in lost loan demand to local banks for the building, \$15,000 in lost loan demand to local banks for the business, \$750 in lost property management fees, \$24,750 in lost business profits and owner compensation and \$16,250 in lost employee payroll. She would also like to stress that this rezoning issue is not the only thing going on, there are a number of other things from the master plan including Main Street, the revitalization district which is in the master plan and referred to as an entertainment district, we are also exploring the possibility for CRA. We are also researching tax incentive, currently the city offers zero in tax incentives for businesses.

Mr. lafigliola stated that the he will attempt to answer questions. He stated that Ms. Gross would like to know why this piece of land. He also asked that question and it is fair to say that this is the logical and next set of developable land that could be used for downtown. Now, there is perhaps other areas that could be used for the same purpose arguably but by in large they are always going to have residential around them. Whether you agree that this is the best spot or not we have to start somewhere.

Mr. Iafigliola stated that Ms. Gross also asked about vacant storefronts. He asked if the zoning is approved is the city, outside of minor administration costs, is the city spending any money to do this. Mr. Smerigan replied no. Mr. Iafigliola stated that is an important distinction. He stated that Ms. Gross just asked if we could revitalize vacant storefronts in either the Drug Mart Plaza or the Grand Pacific Junction, essentially what Ms. Gross is saying could we put city money into helping revitalize those properties. He stated that if someone wants to open a business that is permitted they can the city cannot stop them from operating the business whether we agree with what they are selling or not, so, if a particular business owner, and he has no one in particular in mind, own the development and want to charge obscene amount of money for the storefront, it is not the city's business to say that we need a business in the storefront. The city has no business trying to revitalize storefronts that the city does not own. Ms. Gross stated that this is not necessarily where she is going with that, and this could be her misunderstanding of city politics, she would think that a role like the economic director would work with the larger developers in the community to make their business plans work somehow. In addition to, again, her question was never answered as far as what are the storefronts that are vacant right now. The old garage, which is not vacant because the gym is in the building and when she spoke with them they indicated they have another three years on their lease. She stated that the office building on Brookside next to the cultural center has been vacant for a few months. She would like to know what else is considered a vacant property. Mr. Smerigan stated that there are for sale signs sitting on the properties. Ms. Accordino stated that there is a building behind the post office. Mr. Smerigan stated that there are two buildings with for sale signs and the city's building is currently under utilized and is going to be on the market. It is not a question of us being fixated about this we are doing a number of things that were recommended in the Juniper study and the comprehensive plan, this is just one of them. One of the reasons we have trouble keeping stores is in order for retail to be successful it has to have a certain critical mass and if we don't have that critical mass we cannot maintain the stores or bring in the right amount of traffic. In order to make things successful we have to reach the critical mass and by adding some stores we can make the current storefronts more successful because you are bringing in more people who are then shopping in all the stores not just the new stores. The idea is to enhance the downtown to get it to that critical mass and that is what we are trying to do. This rezoning does not add any liquor licenses and simply rezoning does not change the the liquor license situation for anyone. Ms. Gross stated that without the rezoning there couldn't be more liquor licenses. Mr. Smerigan indicated that was not true and is not a correct statement. Ms. Gross replied in this area. Mr. Smerigan stated that there are programs that the city can pursue to increase the number of liquor license and can do that regardless of whether this property is rezoned. This rezoning is about future land use for this property not about liquor licenses. We are trying to grow the downtown area in order to reach the critical mass so it can be successful. This rezoning does not add liquor licenses to the city at all.

**Pat Kaskey, 8170 Brookside** stated that she has lived here for 70 years and she does not support the rezoning. She stated that this is a nice neighborhood and use to walk to the doctor's office and post office. She does not understand if the city is looking to bring in more revenue for the city why are you doing little restaurants in this one neighborhood. She believes this will change the whole feel of our community. People move into Olmsted Falls for the quaint charming little city where you can ride your bikes around. If you are looking to bring in revenue why not go to the outlaying areas and build factories or an industrial parkway. If a

liquor license is \$20,000 why are you going to give it for \$2,000 if you want to bring in revenue. Instead of impacting the neighborhoods why not start with the Farmer's Exchange where there is no houses or neighborhood. Why not try to develop that first. She asked if there was any interest in developing the Boyer property. There was talk about retail at the bottom and condo's on top, how high would those condo's be. The buildings on Front Street in Berea seems like they are going to built high. If they will be high like apartments there will be a lot of traffic which is a problem now. She agrees with what Ms. Gross previously stated.

Mr. Iafigliola indicated that there has been a lot of discussion regarding restaurants but there has been no plans submitted to the city. Ms. Kaskey indicated that every time we are at a meeting there is talk about restaurants. Mr. Smerigan indicated that was correct. He stated that restaurants are a permitted use in the new district but are not the only thing permitted. We are not necessarily promoting restaurants, the idea is to expand downtown and create some additional shops and stores. The district also permits for some residential. This is not a rezoning for restaurants he just knows that some people are hung up on restaurants so we have to keep responding. Mr. Iafigliola stated that what would be permissible in an MUTND it states that no building or structure or premises shall be arranged used, etc., except for one or more of the following uses, residential, multi-family dwellings, offices, retail businesses and service establishments, eating places, senior residence and assisted living facilities, nursing care facilities, churches, cemeteries, schools, public utilities, wireless communications. But, what is different is the common areas and open space requirements, development design standards that have to be met, which includes parking, architectural treatment, whereas P1 does not have this clause unless it falls within the historic district, access and connectivity, screening, landscaping, signage. Whereas, a lot of the other currently permitted uses do not fall under the purview of the Planning Commission. When the MUTND was implemented it will give the developer a little more leeway in what they want to build but the trade off comes with a standard that has to be met that public meetings and the city will have to review. He stated that what the area is currently zoned already mirrors the proposed zoning except for retail.

Ms. Kaskey indicated that this proposal seemed to have caught everyone off guard and she does not remember hearing anything about this earlier. Mr. Iafigliola stated that Ms. Kaskey also indicated that the city should put factories in outlying areas. Again, the city does not develop factories we have areas that are zoned industrial. Ms. Kaskey stated that they should be looking for ways to develop these industrial properties. Mr. Iafigliola stated that the city and township have the JEDD and has been hoped to develop for many years. It is not the city's role to build factories. Ms. Kaskey stated that she has heard people say that these little storefronts will pay people minimum wage so the city is not going to get much tax revenue. Mr. Iafigliola stated that Ms. Kaskey also indicated that we should develop the Farmer's Exchange but again we don't want the city developing property with our tax dollars. Ms. Kaskey stated that the city should start with this vacant area as it will not affect the neighborhoods. Ms. Kaskey asked how high an apartment building be. Mr. Iafigliola again stated that there is no proposal for apartments it is allowed and if a developer wants to make that proposal they would have to appear before the Planning Commission. Mr. Smerigan indicated that they could be no taller than three stories.

**Sara Evanko, 25673 Mill Street** stated that she is against the rezoning for two reasons. One was the concern that was just addressed regarding the height of an apartment building. She

does not want something towering over the houses and changes light patterns. Her other concern is because the zoning will allow eateries during the last meeting the Mayor said that drive thru's would not be allowed and that there would be deed restrictions. She asked what those restrictions would be but that question was never answered. She would like to know what kind of deed restrictions could be put in place and how can we make sure that no drive thru's are put in. Mr. Smerigan stated that the city owns one property and can place deed restrictions on its property when it is sold. For the other properties, any development of these properties as Mr. Iafigiola indicated needs to come back to the commission for approval. The Commission has a substantial amount of discretion about what they do in terms of development plan approval. The Commission would review the development plan and determine if it was appropriate for the property. It may be that drive thru restaurants are not appropriate for these properties. Mr. Evanko asked if the city would commit to a deed restriction. Mayor Graven indicated yes. Ms. Evanko asked about the height of an apartment building. Mr. Smerigan indicated that the maximum height in the zoning district is three stories. Again, it all comes back to development plan approval and must fit the property in question. As the height increases so does the setbacks and some of those properties it would be impossible to be three stories.

**Kathy Butkiewicz, 8005 Brookside** stated that she is the log home next to the railroad tracks. She is present to gather information and her feelings are split. She would say that she was against the zoning. She believes the city needs more parking and is one of the big issues in this area. She knows that when Mr. Williams was renovating the downtown area he discussed turning the property behind the old fire station into parking and build a bridge. She does not know why that has never materialized as she thought it was a great idea. She knows that we do not want to talk about restaurants as she believes people are tired of talking about restaurants and liquor licenses. One of her concerns is the discussion regarding liquor licenses and if we should not be discussing the liquor license and there are not going to be 14 new restaurants in this area then why are we discounting the liquor licenses because anyone in their right mind that ever wants to open a restaurant or anything like that would be jumping at the bit at this discounted liquor license so you can say to me "there isn't going to be all these restaurants we are just stating that there is 14 license" then why discount the license. She knows that we have a very safe community and she absolutely loves living here she feels very safe here and knows we do not have a lot of issue. If this does in fact materialize who is to say that we wouldn't have eight or ten times the problems that we have in the city currently. Like she said, she was in favor of the parking behind the old fire station and exercise place but then all of sudden she is hearing that they are going to put shops back there, and she was ok with little shops, however, it would matter how close those shops would be to Roberta's property or how close to Brookside those shops would be that it would impinge on our privacy. Then she heard maybe there will be a pizza place and then someone said during the last meeting we could have a coffee shop with a liquor license, she loves Starbucks but she does not want to go there to drink. She thinks that it has a place and thinks that once we open that door it could be blown wide open and someone can stand here and tell her we will not take your property by eminent domain, we will not put these things on your property but unfortunately we live in the time and era that a handshake and words are basically pretty empty. So, we who live in this area would like to really keep this a nice, safe, residential area.

Mr. Iafigliola stated that he noted that she feels the need for more parking and that she supported an unofficial idea of putting in a parking lot and a bridge. He stated that he feels her main comment was regarding the liquor licenses and the number and discount. He stated that this topic of discussion is not what we are here to discuss. He does recognize that it is important and he has some similar feelings, however, we are talking about rezoning not about the revitalization district. He asked Ms. Accordino when this would be discussed. Ms. Accordino indicated that a public hearing regarding the revitalization district will be held before City Council, mid September. Mr. Iafigliola indicated that this is not a Planning & Zoning Commission issue but rather City Council. Ms. Butkiewicz stated that the rezoning would be before the revitalization hearing. If we are saying it is ok to change the zoning, when will this happen. Mr. Iafigliola stated that if the Commission votes it will then be presented to Council who will take the recommendation into consideration. Ms. Butkiewicz stated that the re-zoning could take place before the liquor license comes up. Mr. Haviland replied yes she is correct. Ms. Butkiewicz so if there is a decision regarding the zoning then we have this issue that we are all concerned about and have no answers to. Mr. Smerigan stated that the if the Commission acts tonight this will then be presented to Council in September, whether the zoning passes or does not pass it does not affect whether or not Council adopts the revitalization district as it is a separate issue. The zoning could fail but the revitalization district be adopted. The revitalization district is what deals with the liquor licenses, the zoning does not have any impact at all in the liquor licenses. There is no necessity that both of these things be tied together. Ms. Butkiewicz asked why it was brought up during the last meeting. Mr. Smerigan stated that as someone pointed out earlier there have been a number of things that have been recommended that the city do in terms of economic development and the city is moving forward on a bunch of different issues at once, because there was publicity about the revitalization district at the same time that the rezoning was coming forward, some folks confused as to exactly what was happening. The Commission is not involved in the revitalization district they have no authority nor do they make any recommendations, it is the rezoning that is before them. He stated that he initiated the rezoning and his report was available to everyone this evening, does not talk about the liquor licenses or the revitalization district because it is a separate issue. It just so happens due to the city doing a lot of different things at once that the timing overlapped and that has created a lot of confusion. When we first discussed the district the topic was regarding creating shops to expand downtown to create that critical mass, not necessarily to create a restaurant district. He will stated that he understands that all of these issues are of concern with the residents, but, it was just a question of timing. We are simply trying to implement the recommendation that was in the comprehensive plan and Juniper study which is to change the zoning of this property. Again, this property could get rezoned the revitalization district could fail, or, the zoning could fail and the revitalization district could still get approved, one is not dependent on the other and he wants to make that clear.

Ms. Accordino indicated that she would like to make an important point, the city did not initiate the revitalization district, that has to come from a business owner and that was initiated by Josh Lorek of the Library Steakhouse in May. He presented this plan that many other historic downtowns have used to create additional liquor licenses. She stated that the city does not issue liquor licenses and are not discounting them, they are issued through the state. Ms. Butkiewicz stated that she did figure it was Mr. Lorek and she is in favor of what he is doing at the library. She loves to see change in that way. She hopes that he does receive his liquor

license. Ms. Accordino stated that one important distinction for a business owner, he is undertaking a major renovation of the old library and is very costly. A liquor license at a cost of \$20,000 to \$30,000 would be another additional cost. Mr. lafigliola stated that this is not part of tonight's topic. Ms. Butkiewicz stated that she is old school and this comes down to trust and people.

**Roberta Schwimmer, 8093 Brookside** stated that she is absolutely probably, other than the railroad club, the most effected. Before she makes her statement she would like to answer Mr. Warning's question; there are nine restaurants in town that you can sit down and have food and two take outs. She really does not want to have to get into the liquor license issue but you cannot dismiss the fact that they are not technically joined, they are not legally joined, they are not joined before you, they are not joined before Council, however, when you rezone an area to include retail businesses which encompass all forms of businesses, including restaurants, you simply have to understand that you are opening the flood gates for anything to go in that area other than the things that specifically prohibited which as she read the last time do seem to be just about only drive thru's. She wants people to understand that this should not be dismissed from their concerns. She is very much against this and takes exception to virtually everything that our city planner has said about the viability and the appropriateness and the historic character. She also feels, again from Mr. Warning's point, what is the general opinion of the city; our city has been known for very poor notifications in the past, we need to get the word out to the general public and the city. The people she has spoken with like the town's character as it currently is; as far as the Crocker Park comparison, that is not a literal comparison that your storefronts are going to look exactly like Crocker Park but as Mr. Smerigan said that it is conceptually similar with multi-uses for all of the buildings therefore people are concerned about living in a similar environment as that. Obviously, not a blue print exactly of that, so everything really should not be taken as though we are seeing this as literal we have to look beyond and what it could conceivably mean. Just as when she said that her home would become vulnerable after she died; she never said that it would be torn down it would become a vulnerable property because as you say it is not being currently used for the use that the area is prescribed for, so if it goes commercial and she is dead things can happen. That brings her to deed restrictions, we have been given assurances that the commercial expansion would come with deed restrictions that would some how mitigate the impact of the development on the character of the historic district. She hopes everyone will consider that any business with a good attorney can keep our law department busy defending such restrictions indefinitely at taxpayer expense. If she was to place a deed restriction on her property to apply after her death she would have to set aside a portion of my estate to enforce it and when the money ran out so would the restriction, she is sorry but deed restrictions are a hollow promise, she is very familiar with them and are easily broken. As far as what our current zoning codes allow; she read them last time and they allow multi-family dwellings up to 16 units, that's an apartment building, parking for businesses that would come in would of necessity go vertical which means a parking garage. She has one question which is who owns the area on Garfield that is to be rezoned, the narrow strip along the railroad tracks, the only thing she sees this would be good for would be angled parking which would completely impact the lives and the enjoyment of the property of all those living on the south side of Garfield. The strip is currently a beautiful natural maintenance free hedge row that screens the trains which was brought up last time. If this little strip goes to angled parking again, you are affecting all those people on that long street and the way have to live. The traffic issue, yes the safety

issue, the security issue of whether or not they are going to be drug uses shooting up in the back of these stores when the attrition rate makes some of them go vacant, which is what's going to happen, it happens with every retail development, you will have vacant storefronts. Your first incarnation of your business will be the best then it will go down here from hill, not that all of them will go downhill, but there will be those that fail and there will be vacant storefronts. With that said, no she is not worried about her safety because there is a vacant storefront or what we are calling the blighted area simply because the city has not been able to maintain the building. What she is concerned about is that we live on a curve that was made absolutely more dangerous by the straightening of Usher Road. She had an accident herself last year, we have traffic coming from three different directions, we have one stop sign, we have trucks, as the police chief said, going to the post office, we have trucks that go in other directions, we have accidents in the winter, we have cars going off the road and that is currently. If you can extrapolate what it will be later with all the delivery trucks that we talked about when there was a public hearing regarding the one way on Mill Street and your businesses spoke up and said how are my deliveries going to come, that gave all of us that were there a little taste of how many deliveries just one business gets in any week and all of these little businesses, restaurants or not, are going to get their deliveries and they are all going to come around that curve or they are going to go around the Water Street curve and it is impossible to get in and out of our driveways as it is, it is going to make as Ms. Kaskey's said, the walking and biking virtually dangerous. She takes a power chair out with her little blind dog on her lap, she is not going to be safe, she is not safe as it is now. She stated that no the city isn't going to own these buildings and no the city can't individually promote these buildings, but, she is sure that Ms. Accordino and Mayor Graven knows that city's all the time encourage as our city planner has said economic development. This kind of economic development gives us virtually minimal tax benefits. It was said these are minimum wage jobs, we have sales tax the bulk of which goes to the state, tax on liquor which goes to the state, we have residential properties around them which will go down in value. Yes you will get property taxes from the commercial property providing that it is not empty but, what we need and have always needed and is very long time coming but was mentioned is an enterprise zone an industrial parkway which includes professional buildings. She understands that we want to partner with the township and she understands that it has not happened but this is not just where one of our focuses should be that should be our main focus and should have been our main focus for the 45 years she has lived here, that's where you improve your tax base with manufacturing jobs, professional jobs, nurses, medical coders, not waiters and waitresses, not shop clerks on minimum wages. This does not help economic development and as far as being in consistent with the character of the city, none of this is consistent with the character of the city. This will help small individual businesses. She admires Mr. Lorek and is glad he is doing what he is doing but most of these businesses will be owned, operated and visited by people who are not local. We don't need to go to Berea to do these things, we can go locally to do some of our things but most of the population does not shop in these little boutique shops. They do go to the current restaurants; we do not necessarily need anymore we have more than Berea already has. So, what we are doing is we are looking at the benefits for a few instead of the benefits of the many, that is what we are looking at, we are not looking at the benefit of the many. In closing, she spoke with a great many people when she tried to get the information out about these hearings and about this issue and the one thing that she heard over and over again is, from all sorts of people of all ages who have lived in all kinds of homes

and who have lived any number of years and she is quoting them "this is not why I moved here" she has heard it again, the exact same words from so many people verbatim.

Mr. Iafigliola stated that Ms. Schwimmer indicated that she was opposed to deed restrictions. Ms. Schwimmer stated she was not opposed to deed restrictions, you can try them all you want if you have the money to enforce them they do not work. Mr. Iafigliola stated that Ms. Schwimmer also stated the benefit of the few but not many. He is unsure as to what that means. Ms. Schwimmer stated that she is referring to the businesses that will come in who as she stated will probably not be locally owned, the employees maybe local but at minimum wage. The city will benefit from the sale eventually, which she has heard there are two offers, maybe she misheard Ms. Accordino to turn it into a restaurant that would benefit the city. So, we have four vacant storefronts that would benefit and again they may remain vacant; just because this area is rezoned you will get businesses to pour money into a backside of a downtown by a train track but these are the few she is referring to. The few people that would come in to these few businesses that you are rezoning in this area as opposed to the many being the whole neighborhood and the entire community. Mr. Iafigliola asked why it would be relevant if the business owners were local. Ms. Schwimmer replied because we are a community that its not benefitting the entire community. Yes, the individual business owner may benefit and if they were all local businesses she thinks she would probably be more in favor of that. She guesses maybe she's an isolationist but she wants to see for our town, for the people of our town and she does not see this rezoning helping any of the people in her neighborhood or any of the people that live in her town and have lived there for years. Possibly, the very very young who are still want to come in and shop in that kind of atmosphere; she has a tenancy to only probably enteract with people more her own age or over 20. She believes that the majority of the people in the town if they were completely well informed would not be in favor of this.

Mr. Iafigliola asked if Ms. Schwimmer, in general, visited other small cities that have downtowns and does she observe that these cities with downtowns are doing well or not doing well. Ms. Schwimmer replied yes and they are doing well depending on where they are. She stated that Mr. Williams has worked very hard but he still has a written attrition rate; his development looks beautiful and has enhanced our city tremendously. But, we still have vacancies in the Mill River Plaza and issues where it is not perfect. She is familiar with other communities like Chagrin Falls and Hudson because she came here from the east side; Chagrin Falls is virtually impassable due to traffic, you can't even hardly get to the Falls. These are very upscale stores and tend to last longer because they are in an upscale area. One of the things we have a problem with in this town and have for the 45 years that she has lived here is been because we have no building minimum's, we have these very small lots where we have these tight packed developments and that does not bring in high income capita; where on the east side you have a two acre building minimum and they can support a boutique of a very high end retail; we have never successfully done that in this town. Mr. Iafigliola stated that she gave two good examples Hudson and Chagrin Falls. He has personally visited both of them and his experience is maybe different. He asked if Ms. Schwimmer would agree that Chagrin Falls is so popular no one goes there anymore. Ms. Schwimmer replied pretty much it is getting that way. Mr. Iafigliola indicated that Ms. Schwimmer indicated that traffic is so bad there it is impassable; where are they all going. Ms. Schwimmer replied that they go there but the locals can't get into town. It is very tight packed.

This is not why she moved here. She compared Olmsted Falls to Chagrin Falls and wanted it to be the way Chagrin Falls was 45 years ago, it has now become what Chagrin Falls was 45 years ago; very pretty, very quaint and you can still get to the falls; you can still have your ice cream at the junction. With this expansion you are heading towards something; again, you are opening a flood gate that will make it so yes your high end stores may prosper if you can change the people you bring in to live in the developments. Mr. Iafigliola stated that maybe it is a difference of opinion Chagrin Falls and Hudson he knows nothing about their economic development or the city only what he sees but to him they seem as viable downtown districts in small cities, we are not comparing them to larger national city's. Now, it sounds like Ms. Schwimmer does not favor viable downtown districts. Ms. Schwimmer stated that she does not believe we will get that. We will not get what Chagrin Falls and Hudson has and no she wouldn't want to live in either city the way it is now because of the traffic patterns in both. Mr. Iafigliola stated that Ms. Schwimmer would not favor these cities the way they are constructed because they are too viable. Ms. Schwimmer replied no, she is saying the people who live there have to suffer with the side affects of the economic flourishing of their downtown areas, she does not believe our city will flourish to that extent, but, she does believe that we will have some of the same problems that the residents of those communities have.

Mr. Iafigliola stated that Ms. Schwimmer previously indicated that she would not like to live in the Chagrin Falls style development, which is obviously her choice. We are talking about a policy that may set the course for that city in that direction, but, he is not opening any stores and does not believe Ms. Schwimmer is. Ms. Schwimmer indicated that she understands what Mr. Iafigliola is saying but what she simply said was that she does not see our town having that type of success. Mr. Iafigliola replied if it doesn't matter if it will have this type of success why does it matter if it passes. Ms. Schwimmer stated that we may get the same traffic pattern but does not believe we will get the high end stores which is what she is saying. She would love to see the galleries that have been suggested but does not believe this area could support them, she wishes they could. As she said she came from the east side and is familiar with the art galleries on Murray Hill. It would take a great deal of promotion to bring that kind of clientele here to purchase on that high end level. Many of the retail businesses at Grand Pacific Junction have failed for that reason because people unfortunately around the area would rather pay less money at a larger store. Mr. Iafigliola stated that Ms. Schwimmer talked a lot about the people in that neighborhood, which he assumes is the people on her street as many people spoke from Brookside; she also spoke about traffic, Mill Street, Water and this whole neighborhood and he would be hard pressed to say that this does not benefit the city as a whole, there are a lot of people that live in this city and do not live in this neighborhood. Now, admittedly, the people who live in one of the developments to the south may well say too bad to you, and he believes that is Ms. Schwimmer's main point and that is the residents in this area are bearing the brunt of a development that she arguably is not in support of. Ms. Schwimmer replied that isn't exactly what she is saying; what she is saying is you are going to change the character of the downtown. She believes that many of the people who live in the outlying areas still choose to live here because they enjoy what our downtown has and she does not know that they would be in favor of seeing that little core altered as dramatically as this zoning change will eventually alter it.

**Nancy Voqt, 7885 Brookside** stated that she is not in a position at this point to say whether she is in favor or not in favor. What she would like to say is that Katie Gross' suggestion about

sidewalks is something that she has been saying for years. She agrees with Mr. Warnings' concerns about restaurants. She might make a suggestion to either the Commission, Ms. Accordino or someone else in the administration, if you get rid of the designation D5 for the liquor license you would make a lot of people significantly more comfortable because that is the 5:30 a.m. to 2:30 a.m., change it to a different kind. Mr. Iafigliola indicated that we are not discussing the liquor license this evening. Ms. Vogt stated that she spoke with a real estate professional who informed her that work/live spaces qualify for tax credits.

**Liz Tinter** stated that she owns the Cutting Garden located at 25561 Mill Street and also owns 8131 Orchard, which is the stone building. She is in support of this rezoning and seems like she has listened to the same concerns during both meetings. This is just an area to refresh and revitalize a small area of Olmsted Falls that needs to be brought back to life. You are trying to bring life to an area and welcome people into Olmsted Falls beyond the main cross streets. She believes this is a phenomenal idea. We can make into little Irish cottage shops that would be phenomenal and is a welcoming beacon. She believes the zoning will benefit to serve our neighbor's to bring other businesses in that can help our neighbors. We want to be there for our neighbors and yes our businesses do cater to our local residents and we are there for our local residents in the good times and bad. She hopes that this is adopted and appreciates everyone's work.

Mr. Iafigliola recessed at 9:23 p.m.

The meeting resumed at 9:35 p.m.

Mr. Iafigliola stated that we held a public hearing a week and a half ago and have heard from the Mayor, the City Planner, the Economic Development Director and the Police Chief. We have heard additional comments from the residents this evening. Now, he would like to hear from the Commission members.

Mr. Budak stated that probably 98% of the concerns the Commission hears regarding zoning issues are more fit for Council meetings. This Commission is a quasi judicial board, we hear evidence, facts and issues specifically related to the item on the agenda. While he appreciates a lot of the comments but understands they are not germane to the topic at hand. He stated that one resident mentioned that this comes down to trust which he agrees. We are volunteers who happen to be sitting on the board, no one has any vested interest except for the general public good. When he thinks about this issue, specifically the zoning change, the new zoning would require the residents to trust less because the requirements are spelled out in the code as to what can be done. Any developer would also have to come back before this board where there will be another open forum ability to speak, and there are a lot more hoops they have to jump through. There are two things he tries to do, one is that you want more options versus less and two you want things spelled out. He understands people do not read the zoning code but the commission reads it several times. In this case he believes if people had a chance to read through the code and narrow down the specifics of what is actually in front of this board today we would have a lot more constructive use of time. He also believes people maybe would come to the point he is at. If you are distrustful then you should be in favor of this change. He is in favor of this because he does not trust government to make these decisions, he wants more hearings, he wants to have more say over what is going to go in, and what kind

of structures can be built. All of this is laid out in the mixed use section which is pretty specific and confining.

Mr. Carpenter stated that this issue has created a lot of emotional responses and he does not believe that anything should be decided on emotion, even though it is part and parcel of our daily lives. It is great that so many people came here to discuss this issue rationally and calmly and as previously pointed out it is a successful way of having discussions and we should all be proud that we have this ability and freedom.

Mr. Haviland stated that he has heard some excellent comments and informative responses. He stated that City Council will also hear this issue and the public will have an opportunity to address City Council. He stated that Ms. Gross raised an issue regarding the viability of the retail that we have in the Grand Pacific Junction and Mill River Plaza and should we focus on that. He knows that we are focusing on those areas but the city does not have control. When we do have control in areas like we did with the Jenkins Place and the old library we have seen great success, adding vibrancy to the downtown area and to the people of Olmsted Falls and those coming to visit, work, live or play here. The efforts we are talking about we will also look at with City Council and it is a logical extension because it is adjacent to a core area where we have a lot of retail and we want to keep it a pedestrian friendly area. He looks forward to additional comments from everyone when this matter comes before City Council. He does appreciate everything he has heard from the residents of Olmsted Falls.

Mr. Iafigliola thanked everyone who has attended each of the hearings regarding this issue and for being part of the process. The Commission has the following options, to accept the recommendation, to reject the recommendation, to modify the recommendation or table the issue. He stated that his first introduction this issue was a newspaper article dated July 5<sup>th</sup>, when he asked Ms. Accordino she indicated that this was a combination of two issues, which he now understands is both the revitalization district and the rezoning. He stated that Ms. Gross had indicated that the issue is regarding cheaper liquor licenses for developers and there was a number of 14 stated. Regardless of whether this rezoning passes or not, would the city be able to apply for this number of liquor licenses. Mr. Smerigan stated that a property owner filed an application with the city to create a revitalization district and has the right to do that. The city can approve that revitalization district and can do that whether this property is rezoned or not. Mr. Iafigliola stated that if the rezoning passes it will have no bearing on whether or not the revitalization district issue moves forward or not. Mr. Smerigan replied that is correct.

Mr. Iafigliola stated that the question is what is best for the city which is the same test the Commission applies to all cases that come before us, whether it is the developer trying to build or someone that wants to widen their driveway. The question is does it benefit the majority of the people or not, some will love it some will hate it. Another issue raised is traffic, a vacant field does not promote any traffic, however traffic is an essential part of who we are as americans and a city. The fear of traffic is valid and important but is not necessarily a critical aspect that should derail every development. He happens to live in a very large development and there must thousands of people who live there and he is sure that the residents who lived down the street from the development said the same thing when it was being developed, which is there is going to be an incredible amount of traffic when all these people leave for work. He

asked if anyone thinks that any of the current restaurants in town promote an incredibly large amount of traffic, maybe at certain hours of the day they do. He stated that there is a trade off when the city has to deal with traffic issues. He stated that there were comments regarding walkability, etc., he wishes that as a city we did a better job regarding walkability. The MUTND does a better job of walkability than any of the current codes, industrial has terrible walkability, and a professional district allows for basically significant lot coverage with minimal sidewalks at best. The MUTND provides the Commission and the city a lot more say in how those sort of things happen. He is hard pressed for the people who say "I live in this area and its going to affect me negatively" cause he absolutely agrees. His sense of the general feeling of the city is that they would like more restaurants to go to and sure it will put more cars in front of Ms. Schwimmer's house but when you ask in that sense, what serves the majority of the people best. Can anyone say that high level planning and high level policy does not serve the city best. Now, if you are talking solely about tax generating revenue, for example waiters and waitresses, but, lets look at it in the other extreme does anyone wish to see the downtown close completely. Does anyone think that downtown closing completely would be in the best interest of the City of Olmsted Falls, theoretical question. Ms. Schwimmer asked how that comparison would wash with what is being discussed. Of course no one wants to see the town go back to before there was a Mr. Williams, that is not what anyone here talked about. Mr. lafigliola stated that he is speaking to the extremes, but, it is entirely possible that the current restaurants will close. However, if shrinking the city is not a valid option, expanding the downtown area may well be a mutually attractive option which is the point he is trying to make.

Ms. Schwimmer stated that she does not believe this goes hand in hand as much as Mr. lafigliola thinks. She does not think that anyone has an issue with how the city has matured from what Mr. Williams has done. If you go through other small towns their main streets are beautiful, you go two streets back, its not so beautiful and that is what we are talking about. We are talking about what it will be like two streets back without Mr. Williams owning the whole thing and knowing what the buildings will look like.

Mr. lafigliola stated that Ms. Schwimmer's sense is that downtown should not expand the way it may organically has to this point. Were else would downtown expand. Ms. Schwimmer replied she does not know that it should. An industrial parkway or enterprise zone would be true viable benefit to the tax payers, not this.

Mr. lafigliola stated that he is in support of the rezoning because he feels strongly, not on any word or handshake, and not anyone saying tonight what they are or are not going to do, the way that he believes it only matters is what the code says, which is the law of the city and states if you want to use the MUTND you will follow these procedures.

Mr. lafigliola moved to **recommend** to Council the passage of the proposed zoning reclassification; Mr. Budak **seconded**. Poll: 5 ayes; 0 nays. **Motion carried**.

Mr. lafigliola stated that he would ask the administration to consider other parcels that may be included perhaps as a next phase.

Mr. Iafigliola recessed at 9:59 p.m. in order to permit residents to leave.

The meeting resumed at 10:03 p.m.

**COUNCIL LIAISON REPORT: *No Report***

**OTHER BUSINESS:** Mr. Iafigliola welcomed Mr. Haviland back to the Commission. There is a vacancy on the Commission. He suggested to Mr. Smerigan and the Mayor that they publish an advertisement indicating that there is a position on the Commission. If anyone on the Commission knows of someone that could fill this position please forward those names onto the Mayor.

**APPROVAL OF MINUTES:** Mr. Budak moved to **approve** the Planning & Zoning Commission minutes of July 18, 2018; Ms. Hawkins **seconded**. Poll: 4 ayes; 0 nays; 1 abstain (Haviland). **Motion carried.**

**ADJOURNMENT:**

Mr. Iafigliola moved to **adjourn**; Mr. Carpenter **seconded**. Poll: 5 ayes; 0 nays. **Motion carried.**

Meeting adjourned at 10:07 p.m.

\_\_\_\_\_  
Planning & Zoning Commission Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning & Zoning Chairman

\_\_\_\_\_  
Date