



MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, JANUARY 8, 2014, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

Attendees / Representing (from sign-in sheet):

Alliss Strogin, Medina Township
Paul Jeffers, Montville Township
Jason Brenner, Stonegate LLC/LLP
Andy Conrad, Medina County Highway Engineers
David Conwill, Redwood

MCPC Members and Alternates in Attendance:

MCPC Members:

Jeff Brandon
Martha Catherwood
Ray Jarrett
Val Jesionek
Mark Kolesar
Christina Kusnerak
Pat McNamara

MCPC Alternates:

Lynda Bowers, President, (for Pat Geissman)
Jerry Cook, (for Steve Hambley)

MCDPS Staff:

Cheryl Heinly, Admin Assistant
Susan Hirsch, Associate Planner
Rob Henwood, Planning Director

Planning Director Robert Henwood called the meeting to order at 6:30 p.m. and began with opening the floor for nominations to the Election of Officers.

I. ELECTION OF OFFICERS

Mr. Henwood opened the floor for nominations. *Mr. Jarrett nominated Ms. Bowers for President, Ms. Catherwood for Vice President and Mr. Jarrett for Second Vice President.* There were no objections, all the nominations for the appointed positions were accepted, and there were no other nominations. *Mr. Kolesar seconded the motion.* Ms. Bowers proposed an amendment that in the event if none of the officers mentioned above is present then the most senior member, which is Mark Kolesar, will take over. *Mr. Jarrett amended his motion to reflect that change and Mr. Kolesar seconded.* *All voted AYE and the motion passed.*

Mr. Henwood closed the floor to nominations and Ms. Bowers took over the meeting.

II. ROLL CALL

Ms. Bowers, Mr. Brandon, Ms. Catherwood, Mr. Jarrett, Mr. Kolesar, Mr. Cook, Mr. McNamara, Ms. Kusnerak, and Ms. Jesionak were all present at the time roll was called.

III. MINUTES

Ms. Bowers introduced Jerry Cook, Adam Friedrich's new alternate to the Board. She said Steve Hambley also has a new alternate, Jason Stevenson.

Ms. Bowers asked if there were any questions or comments regarding the November 6, 2013 minutes. There was none.

Mr. McNamara moved to approve the November 6, 2013 minutes as presented. Mr. Jarrett seconded the motion. All voted AYE and the motion was approved.

IV. CORRESPONDENCE

There was no Correspondence

V. CONSENT CALENDAR

There were no items on the Consent Calendar.

VI. OLD BUSINESS

There was no Old Business.

******Ray Jarrett, Medina Township Trustee, left the room because of the upcoming subdivision review, which was located in Medina Township, 6:35 p.m.

VII. NEW BUSINESS

A. Riverview Villas of Stonegate, 088-2013 PP, Preliminary Plan, Medina Township

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the east side of Pearl Road, US 42, Road northeast of Stonegate Drive.

The applicant proposes to provide 25 cluster homes at a density of 1.51 units per acre. 13.99 acres of open space is proposed. The proposed subdivision is to be served by central water and sewer.

Access to the site is provided via Stonegate Drive that connects to Pearl Road (US 42). Within the cluster development, the roads are proposed to be private with a pavement width of 22 feet.

Discussion:

Jason Brenner, engineer, Lewis Land Professionals, said they did not have any problems and would answer any questions.

Alliss Strogan, Medina Township Zoning Commission, said the Township has reviewed the plan and requested some minor changes in the layout to which the applicants have complied. This is a cluster development. It started in 1993 as a 16-acre, 48 unit duplex and now it has 25 cluster sublots which is much is far more attractive. She said the Township asked the applicant to make the building envelopes as large as possible without conflicting with the other zoning restrictions. Ms. Strogan said too many people purchase a unit thinking this is all they want or can afford then

two or three years down the road, they want to make various additions only there is no room if it is a straight condominium. She said by having the envelope a little larger when they [new homeowner] step out the back door they can put up a fence if need be.

Ms. Strogin said she did get the HOA documents Friday night saying she did read them and mark them up. She did go over them with Mr. Thorne, who is here this evening, to which they both found the same items questionable. She said Mr. Thorne would be in touch with the person who drafted the document and ask for those changes to be done.

Mr. Kolesar asked if the Township had any concerns over the slopes and how close the homes are to the slopes. Ms. Strogin said they are concerned but have no authority to stop them. The envelopes will be 20-25' from the actual start of the slope, but the building envelope is not near the slope. She did have concerns and raised them at the Concept meeting saying mention was made as to wood burning stoves at the trees being cut down on the slope. She said the Township could not control that and have limitations and easements on them.

Mr. Brenner stated at the Concept level they had the back of the houses at the top of the slope...inaudible...they have since entered into a contract with a geo tech engineering firm to do soil boring samples to make sure the integrity of the land is sufficient. He said that his recommendation is to limit the house or any foundation work; he thought it was 25' from the top of the bank. Mr. Brenner said it had been moved from the Concept plan at 29 units to 25 units. He said each unit has 16 to 20 feet of usable space that only is designated for the back yard whether it is for a fence or patio.

Mr. Kolesar asked if there ever was a concept to run houses along Stonegate and leave the back area alone. Ms. Strogin said this has been ongoing since 1980ish and due to some permits expiring and the zoning changes, the way it was worded into the Planned Unit Development there would have been 48 duplexes in there which would have been horrendous in her opinion, but it was perfectly legal. She said the [present] units will be attractive and she thought the applicant would not give up any more than they already have.

Ms. Catherwood asked if there was any concern of the location of the retention pond. Andy Conrad, Highway Engineer's office, stated that the location is at the NE corner and the slope is one concern and then the erosion due to the river. He said long term they have an outlet structure going down over the hill, 'when will that get washed away'; he said he did not know. Ms. Catherwood asked how it could be maintained. Mr. Conrad said that was a great question. Ms. Catherwood said that was her concern because when that fills with silt it basically becomes non-functional and everything is going into the river. Mr. Conrad said the pond is at the top but the outlet structure is not.

Mr. Brenner said he did not have the final designs yet, but their intent is to have the outlet structure at the detention basin and tighten down to the level of the grade...inaudible. Ms. Bowers said that does have to go through an approval process. Mr. Brenner said that has to go through Andy's approval as well. He said the long-term maintenance, each year they get more and more involved with regulations of cleaning and maintenance of detention basins so it will have to be watched. Mr. Conrad stated that he just had a problem with having a pipe at that size of that watercourse. Ms. Catherwood agreed with Mr. Conrad and added that they run into these maintenance issues all the time with the retention ponds...inaudible. Ms. Bowers asked Mr. Conrad if in the review process they would stay on top of this. Mr. Conrad stated they do not know how to address this issue. He said he does not know if it is smart to have units where you know a river will be moving and long term the 25-foot buffer might end up a two-foot buffer.

Mr. McNamara asked Mr. Conrad if the County is responsible for the County Floodplain mapping. Mr. Conrad answered that is a federal thing [making of] but they are the holder of the maps.

Ms. Hirsch said they [homeowners] will be subject to the overall Stonegate HOA document umbrella and then will have their own individual association because of the private streets.

Mr. McNamara moved to approve staff recommendations of Approval with Modifications for the Riverview Villas Preliminary Plan. Mr. Brandon seconded the motion. Mr. Kolesar and Ms. Catherwood opposed. The motion was approved, seven AYES and two NAYS.

******Ray Jarrett returned, Jeff Brandon, Montville Township Trustee, left due to next subdivision being reviewed, 6:55 p.m.

Ms. Bowers stated for the upcoming review that the applicant had raised a question as to whether the Planning Commission has jurisdiction on this matter. Staff has fully vetted that by legal counsel and legal counsel has advised that the Planning Commission does have jurisdiction and does have an obligation to make a recommendation so Ms. Bowers did not think that was up for debate.

B. Blackberry Trails, 100-2013 PP V, Variance Request, Preliminary Plan, Montville Township

Ms. Hirsch presented the staff report to the Commission for the above captioned subdivision located east side of Wadsworth Road (SR 57), north of Sharon-Copley Road (SR 162).

The applicant proposes to provide 50 attached single-family rental homes at a density of 2.7 units per acre. The proposed subdivision is to be served by central water and sewer. As part of this proposal, a variance to Section 604 B.9. of the Medina County Subdivision Regulations is required to permit greater than 40 units on a permanent cul-de-sac.

The subject property is zoned R-3, Single-Family Urban Residential District. The Montville Township Zoning Resolution indicates that the purpose of the R-3 District is to, "... encourage single-family residential dwellings at a density of approximately 2.7 dwelling units per acre, in locations that are adjacent to the City of Medina, and controlled density planned residential development to discourage large concentrations of intensive development where it is desirable to preserve reasonable amounts of open space and maintain the suburban character of the Township. This District is to serve as a transitional district between similar or higher density residential neighborhoods in the City and the intended lower density residential neighborhoods in the Township in a manner that will provide for the efficient development and utilization of community facilities such as water and sewers, streets, and schools."

The Montville Township Comprehensive Plan, adopted in 2008, depicts this area as "Residential" at a density of 1 dwelling unit per 22,000 square feet with central water and sewer. [The property has since been zoned R-3 which permits residential at a density of 2.7 dwelling units /acre.]

Goal 2 of the Plan encourages, "Protection of sensitive natural areas by careful development, and development based on the natural capabilities and limitations of the land" and Objective 1B states, "Promote development policies which emphasize careful, creative approaches to residential development." One of the policies under this Objective is to ... "review subdivision proposals in light of their potential to preserve existing areas of natural value or beauty."

Ms. Bowers stated that since under the variance the Commission has to find that strict applications subdivision regulations are inappropriate due to an exceptional topographical or physical hardship.

Discussion:

Paul Jeffers, Montville Township, said this is a challenging piece of property. He said over the course of a decade or more several plans have come forward regarding single-family homes, estate style housing, and basic single-family subdivisions at a more moderate level. The problem they had in the past was the size of the property, as it did not meet the regulations for a subdivision. The applicant tried several times to obtain the northern property but was not successful. Mr. Jeffers said in recent years that the County Park District has retained that northern property thus creating a problem for the applicant to obtain it with the proper acreage to create a subdivision prior to a variance. He said the applicant did come to the BZA, was granted the variance for the size of the lots, and at that time with the Concept Plan, what they were going to do with the housing. Mr. Jeffers said since then the applicants have been in front of the ZC and the ZC liked the style of housing because it was not intrusive, it was compact as they could make it, preserving the open space and wetlands/riparian areas, and tying into the parklands as part of the township's comprehensive plan. Mr. Jeffers said the township sees this as a great project and they have no reservations on it coming in.

Mr. Jarrett asked about the total acreage. Ms. Hirsch answered with the other parcel it is 18.6 acres.

David Conwill, Redwood, said he had nothing to add.

Ms. Catherwood moved to approve the staff recommendation of Approval for the Blackberry Trails Variance Request due to unnecessary hardship that may result in the strict application of the subdivision regulations due to the exceptional topographical and physical conditions. Mr. Kolesar seconded the motion. All voted AYE and the motion was approved.

Ms. Catherwood moved to approve the staff recommendation of Approval with Modifications for the Blackberry Trails Preliminary Plan. Mr. Jarrett seconded the motion. All voted AYE and the motion was approved.

** Jeff Brandon returned, 7:14 p.m.

E. Sharon Township Map Amendment, 098-2013 MA

Mr. Henwood presented the staff report to the Commission for the above captioned map amendment rezoning C-2 and R-1 to all C-2 and located on the south side of Medina Road between Beach and Ridge Roads.

The front 500 feet of the subject parcel is zoned C-2 Commercial; the depth of the district is measured from the road right-of-way. The remaining depth of the parcel is zoned R-1 Residential. The applicant proposes to include an additional 500 feet of the site in the C-2 district.

The 1996 update of the Sharon Township Development Policy Plan (Plan) recommends the entire Medina Road (SR 18) corridor for commercial use. § 3.2 recommends “that a diversity of economic activities (including light industrial) be allowed...” The Plan also calls for “careful review and clarification of permitted uses in the current zoning resolution.”

§ 4.1 Policy 1B.4, states “[p]ermit no further expansion of commercial and industrial zones in the Township, with the exception of changes which would be of direct tax benefit and/or use to the Township residents.”

Discussion:

There was no discussion.

Mr. Kolesar moved to approve staff recommendation of Approval for the Sharon Township Map Amendment. Ms. Catherwood seconded the motion. All voted AYE and the motion was approved.

VIII. PLANNING DIRECTOR’S REPORT

Mr. Henwood stated that when they had met in November to amend the subdivision regulations language for the exempt transfers, in order to meet the requirements of the ORC notification needed to be sent to the Townships at least 30 days prior to the Planning Commission adopting a resolution for the change. That would have the DPS sending a letter out by the 20th of January. He said he could send a draft out sooner so the Planning Commission could have it for review.

Ms. Bowers said that Mr. Thorne had asked to set up a meeting as he had some concerns with some of the definitions from the Subdivision Regulations, which he did not want to bring up tonight. She asked before that letter goes out could they have that meeting and have those changes as well so they could be done together. Mr. Henwood said he did not think there was anything pressing to get the exempt transfer language changed. Ms. Bowers added that the technical process is a pain and if they could be done together, it would be easier.

Ms. Hirsch informed everyone about the ZC mock hearing workshop, which will be on January 29, 2014 at the library, community room A, at 6:30 p.m.

Mr. Jarrett questioned when the next training session was scheduled. Ms. Bowers said they would try to do one in March depending on Bill’s schedule.

Jerry Cook, Adam Friedrich’s alternate, thanked everyone for the welcome and having him on the Board.

IX. PUBLIC PARTICIPATION

There was no Public Participation.

X. OTHER BUSINESS

There was no Other Business.

XI. ADJOURNMENT

Ms. Bowers moved to adjourn the January 8, 2014 MCPC meeting at 7:25 p.m.

Lynda Bowers, President

Cheryl Heinly, Admin Asst.