



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

Attendees / Representing (from sign-in sheet):

Paul Jeffers, Montville Twp
Travis Crane, TGC Engineering
Bob Unruh, Clubhouse Pointe
Pat Rakoci, Pride One

MCPC Members and Alternates in Attendance:

MCPC Members:

Martha Catherwood, Vice President
Jeff Brandon
Ray Jarrett
Christina Kusnerak
Val Jesionek
Mark Kolesar

MCPC Alternates:

Lynda Bowers, President, (for Pat Geissman)
Jason Stevenson, (for Steve Hambley)

MCDPS Staff:

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

Lynda Bowers called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance and then Roll Call.

I. ROLL CALL

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

II. MINUTES

Ms. Bowers said July's minutes would be approved later.

III. CORRESPONDENCE

There was no Correspondence

IV. CONSENT CALENDAR

There were no items on the Consent Calendar

V. OLD BUSINESS

There was no Old Business.

VI. NEW BUSINESS

A. Oak Lane, 060-2014, PP, Preliminary Plan, Montville Township

Ms. Hirsch presented the staff report to the Commission regarding the above captioned subdivision located on the south side of Poe Road west of the I-71 overpass.

The applicant proposes to create 40 sublots on a public (60-foot right-of-way [ROW]) permanent cul-de-sac street. The proposed subdivision is to be served by central water and sewer. A detention pond is shown within Block "A," an open space block south of Poe Road and west of the cul-de-sac street. There is also a landscaped open space area, Block "B," along Poe Road east of the cul-de-sac street. Block "C" consists of a 35.99 acres of undisturbed open space and it is located south of the homes on the cul-de-sac bulb.

The subject property is zoned R-1 Residential District. The Montville Township Zoning Resolution indicates that the purpose of the R-1 District is to, "...provide for the development of low density single-family residential dwellings on subdivided lots with a minimum lot size of two (2) acres, planned neighborhood developments to enable the review of large scale developments, and controlled density planned residential developments to preserve reasonable amounts of open space in the Township."

Oak Lane Subdivision is proposed to be developed under the Controlled Density regulations. The objective of the Controlled Density PRD is to, "... provide alternative housing types and the preservation of open space through the flexible arrangement of buildings in a unified development." In the R-1 District, a Controlled Density development has a maximum gross density of 0.8 du/acre, a maximum of 4 units on any one acre, and minimum restricted open space of 35%.

Discussion:

Paul Jeffers, Montville Township Zoning, stated he had nothing to add. He said the comments that they made were regarding the roadway, the boulevard entrances, and the cul-de-sacs. He said that Mr. Kohler has redesigned some things and made all the adjustments needed.

Ms. Bowers asked since they cannot have Oak Lane as a street name, but they reserved the Oak Lane subdivision name, as a practical matter would that be changed. Mr. Jeffers said he would imagine if they cannot have the street name, they would probably change the subdivision name.

Mr. Jarrett asked if the fire chief was notified that the boulevard entrance would be appropriate for their apparatus to get through. Mr. Jeffers said he spoke with Mark Crumley, and told him that the trustees wanted to keep the boulevard entrance and if need be it can be pushed back.

Ms. Catherwood said that Susan mentioned the plan complied with the Comprehensive Plan but on page two, the Comprehensive Plan recommends/states one dwelling unit per two acres. Mr. Jeffers said the controlled density is like an overlay. He said they could combine if they created more open space. The R-1 was to retain a larger open space and larger open areas. Ms. Catherwood said it is contrary to the Comprehensive Plan because there is more than one dwelling unit per two acres even with the controlled density. Ms. Hirsch said when you look at the controlled density section it says, .8 with the overall so there really is a conflict. Ms. Catherwood said that is what she was trying to clarify.

Mr. Jeffers said they are working on their Comprehensive Plan now. Ms. Bowers said in another section that there is no conflict and asked Mr. Jeffers which amount was correct. Mr. Jeffers said it is based on the .8 amount and that will be fixed.

Mr. Kolar, developer, said he was fine with the comments and would incorporate all of them into the plans.

Mr. Jarrett moved to approve staff recommendations of Approval with Modifications for the Oak Lane Preliminary Plan subdivision. Mr. Kolesar seconded the motion. Mr. Brandon abstained. All other members voted AYE and the motion was approved.

B. Clubhouse Pointe at Blue Heron, Ph 3, 057-2014 R, Replat, Montville Township

Ms. Hirsch presented the staff report to the Commission for Mr. Henwood regarding the above captioned subdivision located on the north side of Blue Heron Trace immediately adjacent to the clubhouse in the Montville Lakes subdivision (aka Blue Heron).

The applicant proposes to create 18 sublots on the existing private permanent cul-de-sac street, Clubhouse Drive. The proposed subdivision is to be served by central water and sewer. Two cluster footprints have already been created; this proposal will create the remaining units as 18 sublots.

Montville Lakes was developed as a conditional use Planned Unit Development (PUD). A Conditional Zoning Certificate was issued by the Township Board of Zoning Appeals on October 1, 2001.

Discussion:

Ms. Bowers questioned the comment by Sanitary Engineers saying in one place it was installed in 2006 and it was 'close'. Then in another comment, they said it has not been satisfactorily demonstrated that the installation had occurred. She asked which it was, were they not happy with it and not sure. Ms. Hirsch answered that it was her understanding that they have not evaluated it

or gone out and formally approved it yet. Ms. Bowers asked if it [sanitary sewer] was in. Ms. Hirsch said yes.

Mr. Jeffers said this is a similar situation that the Township had with Lookout Pointe where the cluster units that were supposed to be a footprint and they were going to be open space. He said the lending institutions were not financing those types of properties so they were at a standstill. The Township reviewed all that and found that 'envelopes' seemed to give more of a financial leverage. Mr. Jeffers said that for this project it did not change the number of houses. He did say that the parking lot to the west is now taken over by a different entity and not part of the phase. He said they did not have a boundary line for the footprints when they were in the walk and in talking with Judy Emrick and the developer, they felt it would be best to have some kind of buffer.

Mr. Jeffers said they asked that the principal buildings be pushed back to 15-feet off the property line. He said this still gives them room for decks, patios, and things of that nature.

Bob Unrue, developer, said he appreciated the comments from the agencies and the Township. He said the only comment he had was regarding the comments from the Sanitary Engineer. He said there are two homes at the clubhouse that exist. The subdivision was approved, improvements made, and inspections made through proper the channels. He said the two homes there are being served by water, sewer, and the issue with the curbboxes if they are moved can cost \$600.00 to \$1000.00 apiece. Mr. Unrue said there might be a circumstance in the subdivision where a curb box would interfere with a structure and it would be practical to move.

Mr. Unrue believed this was unnecessary and not practical in that the projects are in and they were inspected. He said if this is the "cost of entry" then it is unnecessary. He said they would be more than happy to work with the Sanitary Engineer's office on what the Planning Commission feels could be a practical solution to a problem that may or may not exist in the subdivision. He said the front setbacks are the same as they were before; nothing has changed.

Mr. Jeffers said he did not have any comment on that issue because that was new to the Township as well. Ms. Bowers asked if it was previously approved. Mr. Jeffers said yes. Ms. Bowers read the comments from Sanitary Engineer's and said it sounded like they had no objections if plans were resubmitted for re-approval as lot orientations were changed. Mr. Unrue said they have not changed the front setback and the difference between the original process, the way the homes were identified on paper, had no land for the unit. She asked if 15-feet was the case for most of them. Mr. Unrue said no, in all his years of developing has he had anyone stipulate a required space from a structure of a water box.

Ms. Bowers asked if anyone knew what the rationale was behind the 15-foot requirement. Mr. Jarrett said construction practices, or too close to the foundation. She asked why that would be a problem. Mr. Unrue said this is a community that has been approved and when a foundation is dug and utilities are located, it might be necessary to relocate a water box. He said he was happy to do in a case where it is needed. Ms. Bowers said there are some words in the Sanitary Engineer's comments that she is not seeing so she asked Susan if their comment was permissive or mandatory. Ms. Hirsch said she has not seen this comment before.

Ms. Bowers said the problem the Planning Commission has or will have is they are a recommending body and if there is a rule or policy in the Sanitary Engineer [code], the Planning Commission does not have the authority to overrule it, no matter what is said, but the Planning Commission can make a comment. Mr. Unrue said he understood. He stated there still is a way to navigate an appropriate way of doing this with Sanitary, in his opinion. He felt this is an unusual, expensive, and unnecessary request in most cases. Mr. Unrue added that there are cases where it is a legitimate issue. Ms. Bowers said this could be what the Sanitary Engineer is saying, although not clearly.

Mr. Unrue went on to say that, the reason they are doing the Replat is for ease and flexibility of ownership. The way it was setup before it was expensive to record and file so the people that are there currently would have to go through a very awkward and expensive process if they wanted to do an addition, deck, sunroom, etc. Mr. Unrue said with this type of ownership and a few simple lots, it meets the requirements of lenders. He said the intent on bringing this to the Commission was not to have somebody from Sanitary evaluate the subdivision. He said it was done specifically to make it simpler. He felt this issue with the water boxes was over the top.

Mr. Jarrett asked if the water boxes were going to be located in concrete or the landscaping. Mr. Unrue said it would depend on the product design. He said this project is in very tight quarters; there are certain conditions that will make it difficult to meet the minimum deed restrictions for the house and lot. He said they try to locate the garages on the high side of the lot, as there is more slope there than meets the naked eye. He said the short answer is it depends on which house goes on which lot, as he will not have much flexibility, as there is not a lot of room to navigate.

Mr. Unrue stated unless there is something unique to Medina County there is no other place where he has developed and built where that would be required [re: San Eng comments]. Ms. Bowers said she has not seen this in 19 years. Mr. Unrue said this came out of left field. Ms. Catherwood thought they did not have all the information.

Ms. Catherwood moved to approve staff recommendations of Approval with Modifications for the Clubhouse Pointe at Blue Heron Replat subdivision. It was also recommended that the developer and the Sanitary Engineer's office come to a mutually beneficial agreement for what is actually necessary as to requirements for their signature. Mr. Stevenson seconded the motion. All other members voted AYE and the motion was approved.

C. Liverpool Fields, 058-2014, PP, Preliminary Plan, Liverpool Township

Ms. Hirsch presented the staff report to the Commission for Mr. Henwood regarding the above captioned subdivision located on the northwest corner of the intersection of Marks and Center Roads (SR 303).

The applicant proposes to create two sublots; the first will contain 49 rental units on 6.9245 acres and will have access to 3.3989 acres of open space and the second will be used as a 10.5279 acre commercial site. A retention basin is proposed on the southern portion of the residential site nearest SR 303. The site is to be served by central water and sewer.

The subject property is zoned M Limited Manufacturing & Research. The property is the subject of a court settlement, which permits multi-family residential uses on the property. The proposed lots are in conformance with the settlement.

Discussion:

Pat Rakoci, Pride One, asked that the Planning Commission accept the recommendations from the staff.

Mr. Jarrett asked if the Township has anything regarding riparian setbacks in their regulations. Ms. Hirsch did not know and Ms. Bowers was not aware of any.

Mr. Stevenson moved to approve staff recommendations of Approval with Modifications for the Liverpool Fields Preliminary Plan subdivision. Mr. Kolesar seconded the motion. All voted AYE and the motion was approved.

D. Liverpool Fields, 059-2014, FP, Final Plat, Liverpool Township

Ms. Hirsch presented the staff report to the Commission for Mr. Henwood regarding the above captioned subdivision located on the northwest corner of the intersection of Marks and Center Roads (SR 303).

The applicant proposes to create two sublots; the first will contain 49 rental units on 6.9245 acres and will have access to 3.3989 acres of open space and the second will be used as a 10.5279 acre commercial site. A retention basin is proposed on the southern portion of the residential site nearest SR 303. The site is to be served by central water and sewer.

The subject property is zoned M Limited Manufacturing & Research. The property is the subject of a court settlement, which permits multi-family residential uses on the property. The proposed lots are in conformance with the settlement.

Discussion:

Pat Rakoci, Pride One, asked that the Planning Commission accept the recommendations from the staff.

Mr. Stevenson moved to approve staff recommendations of Approval with Modifications for the Liverpool Fields Final Plat Subdivision. Mr. Brandon seconded the motion. All voted AYE and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Mr. Henwood was on vacation so there was not a director's report.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

Susan Hirsch reminded everyone about the Ethics training being hosted by Medina Township on August 13th from 1:00 to 2:30 p.m. or 6:00-7:30 p.m.

X. ADJOURNMENT

Ms. Bowers moved to adjourn the August 6, 2014 MCPC meeting at 7:20 p.m.

Lynda Bowers, President

Cheryl Heinly, Admin Asst.