



MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, APRIL 6, 2016, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

Attendees / Representing (from sign-in sheet):

Dan Peterson, Rolling and Hocevar
Alliss Strogin, Medina Township

MCPC Members and Alternates in Attendance:

MCPC Members:

Val Jesionek
Sally Albrecht
Paul Jeffers
Colene Conley

MCPC Alternates:

David Williams, (for Pat Geissman)
Kevin Ball, (for Tim Smith)
Jerry Cook, (for Adam Friedrich)
Alan Piatak, (for Jeff Brandon)
Jim Shields, (for Mark Kolesar)

MCDPS Staff:

Cheryl Heinly, Administrative Assistant
Rob Henwood, Planning Director

Val Jesionek called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance.

I. ROLL CALL

Mr. Piatak, Ms. Jesionek, Ms. Albrecht, Mr. Jeffers, Mr. Williams, Mr. Cook, Mr. Shields, Ms. Conley, and Mr. Ball were all present at the time roll was called.

II. MINUTES

Ms. Jesionek asked if there were any questions or comments regarding the February 3, 2016 minutes. There was none.

Mr. Jeffers moved to approve the March 2, 2016 minutes as presented. Ms. Albrecht seconded the motion. All voted AYE and the motion carried.

III. CORRESPONDENCE

There was no Correspondence

IV. CONSENT CALENDAR

There were no items on the Consent Calendar.

V. OLD BUSINESS

There were no items in Old Business

VI. NEW BUSINESS

A. The Retreat at Lake Medina, Ph 2, 025-2016 R, Replat, Medina Township

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the north side of Medina Road (SR 18) east of Burgundy Bay Boulevard.

The applicant proposes to create 26 sublots within seven building along Retreat Drive, a private street with a pavement width of 22 feet. The proposed subdivision is to be served by central water and sewer. Phase II was shown as a block for future development (Block C-1) on the approved Preliminary Plan and Final Plat for Phase I.

The Preliminary Plan for Phase II was approved by the Medina County Planning Commission (MCPC) in July of 2015. The original Preliminary Plan was approved in July of 1993 and the Final Plat for Phase I was approved in August of 1993.

The subject property is zoned UR Urban Residential. The Medina Township Zoning Resolution indicates that the purpose of the UR District is to, "...allow residential development at a density of about two units per acre, in those areas of Medina Township within the 1981 sewer service area, around the City of Medina. The UR District is designed to allow efficient use of the facilities already in place, to maintain the natural topography and landscape to the extent possible, and to allow for planned developments that allow flexible development standards while maintaining the two units per acre overall density.

The subdivision is being developed as a planned development that permits a maximum density for single-family attached, cluster and/or multi-family dwelling units not to exceed six dwelling units per acre per parcel of land as long as the maximum gross density for the total land area does not exceed two units per acre.

At least 25% of the total acres in a proposed planned development shall be devoted to private open space or recreational facilities exclusive of dwellings, streets, parking areas and residential lots. Phase II has 41% open space.

Single-family cluster developments/conservation subdivisions are among the preferred uses the Medina Township Comprehensive Plan, adopted February 26, 2015, recommends for the subject site.

Discussion:

Mr. Jeffers asked if one other stipulation on that could be to satisfy the soil and water concerns. Mr. Henwood said yes, it could be. He said a builder would if there is some questions as to the stability of the site or if they are on a slope. Otherwise, unless the engineer requires it, it is not required. Mr. Henwood said the Planning Commission could include as a stipulation in the motion.

Alliss Strogin, Medina Township Zoning Commission, said that last year the site plan was approved for this phase. She stated that the plan came to the Township and has no value to them, as they need a site plan that has all the information.

Ms. Strogin said that the engineer and the builder did not bother to contact the Township. She said they had no idea what they were doing until she got the email from Mr. Henwood saying this will be on the agenda. She said she called the zoning inspector to see if they had any contact with anyone and they did not.

Ms. Strogin said looking at the new site plan; it was obvious that nothing is in the same place as it was on the original plan. She said she called Dan from Rolling and Hocevar to discuss the changes. In the discussion, Mr. Petersen (Dan) told her that everything was shifted 10-feet because there was a problem putting the road close to...inaudible.

Ms. Strogin said she did not have a problem with that. What she did have a problem with was that the Township was not notified. She said because everything was shifted, including the road, they ended up with a "bare bones plan" with no explanation as to why it was shifted. She said they could not write permits off the one that was approved because the one that was submitted is not close to what it was before.

Ms. Strogin said she met with Mr. Petersen to go over the issues. She said that he did bring her a corrected site plan. She asked if he had submitted the new version to Mr. Henwood. Mr. Henwood stated that part of the issue is that the Planning Commission is approving the record plat. He said the record plat contains the necessary information for recording for the creation of the subdivision. Mr. Henwood stated that a record plat would not contain all the information on a site plan; it is not a site plan. Ms. Strogin understood that but they would not have anything showing the new configuration and all the things that it should have shown. She again stated that plan would not satisfy anything for the Township (the record plat). They needed to have a complete site plan showing all the information and all the prior approved information to write permits.

Mr. Henwood clarified that the purpose of what the Planning Commission would be approving is the record plat and that has to be what the Planning Commission is reviewing. He understood that there were changes to the site plan; the Township needs to know what those

changes are and they need to be able to see that. Mr. Henwood stated that for the purposes of what is being reviewed here, the staff made a determination based on the Preliminary Plan that was presented. The information here is the largest shift in a building line or a subplot line location is in “this” (pointing to map) location. Mr. Henwood clarified that the red lines are the original Preliminary plan and the blue lines are the changed lines that are reflected in the record plat that was submitted for our review.

Mr. Henwood said in terms of what constitutes substantial changes in terms of a subdivision submittal, which may or may not coordinate with what is substantial in terms of the zoning submittal. He said the alignment of the road did not change. Ms. Strogin interjected saying it did. Mr. Henwood repeated that the alignment of the road did not change. He said the road shifted from where it ended about 5-feet from the end. The sublots because of the change where the road stops and the location of the walkway shifted to allow the change in that location. He stated in “this” location the difference between the subplot line that was shown on the Preliminary Plan and the Replat that is in front of the Board is 8-feet. He said as you move down the line the distance between those decreases.

Mr. Henwood stated that as the Subdivision Regulations read now, if there is a substantial change in the plat and it varies significantly from the Preliminary Plan, then that requires a revised Preliminary Plan and in some cases would necessitate coming back to the Planning Commission to approve the change.

Mr. Henwood said in this particular instance, the staff looked at and determined the change was not substantive enough to require the board to re-review the Preliminary Plan. If that differs with the zoning, it is because they are reviewing different things. He said in terms on the impact on the approved Preliminary Plan, the road configuration, all of the alignment remain the same. The subplot configuration locations shifted because of a little less space to put the sublots and rotation. Mr. Henwood said the arc of the turnaround changed slightly and removed some of the arc of the turnaround.

Mr. Henwood stated that the applicant was careful regarding the distance between the buildings, which is important for zoning compliance.

Ms. Strogin said if it was not significant then why is it before the Planning Commission. She said they could not write a permit on a lot that is 10-feet off from where it was before. Ms. Strogin said this insignificant change caused almost every one of those building lots to be shifted anywhere from a few feet to up to eight to ten feet. She again reiterated that is a significant change, especially when the Township did not know anything about it. Ms. Strogin stated that the plan did not have all the details that shows any of the amenities that the Township wanted in there.

Ms. Strogin felt it was a huge blunder on Rolling and Hocevar to not involve the Township prior to submitting this [to Planning] and letting the Township know what they are doing and giving the Township a plan, they could work on. She told Mr. Henwood he could approve the plan as far as they want for the “record plat” but that plat would not meet the Township’s zoning and they would not write any permits off that.

Ms. Strogin said that Mr. Petersen submitted a couple copies of the site plan to the Township.

Ms. Jesionek stated that Mr. Henwood was correct and that the Planning Commission is not looking at the site plan. She stated that these changes are not substantial to the record plat but she understood they are substantial changes for zoning. Ms. Jesionek said the Planning Commission is only here to approve the record plat and she agreed with Mr. Henwood that these shifting of lots are not major changes.

Mr. Henwood stated to take that one-step further and until the Township is satisfied, do not have the Township sign the plat. Ms. Strogin said they would not.

Ms. Conley asked if Phase 2 was part of the development. Ms. Strogin answered that originally it was Burgundy Bay and has changed names many times. She said the original development began where the church is located on SR 18 and Phase 2 was on the other side.

Mr. Cook questioned if the shifting of the orientation of the structures/lots render in any way any of the language on the record plat inconsistent... Mr. Henwood interjected saying the record plat reflected the changes that they were proposing. He said the changes were reflected in the record plat because they knew they were going to come before the Planning Commission. He stated that the record plat is the document that actually creates the parcels and the lots that are bought and sold. Mr. Henwood said those have to reflect any changes in engineering and the issue that staff wrestled with was what constituted a substantial enough a change to warrant either re-visiting with the Board or re-visiting with an Administrative approval. He said he could not come up with a significant enough change to warrant, number one, requesting that it be re-presented to the Planning Commission or, for staff to spend the time from a platting stand point, was not going to be served by forcing the applicant to make those changes on the Preliminary Plan. Mr. Henwood stated that it is clear from Ms. Strogin's comments that is important from a zoning context. He said from the Planning staff's view, the applicant needs to work that out with the zoning. It is important in that before Mr. Henwood signs the plat the trustees have to sign it, but so long as he knows when they make those changes, it reflects what is on the record plat.

Ms. Strogin asked that moving every single box did not raise "a flag with you people?" She said when basically every single box is moved; they are not where they were before and that would not be a concern. Mr. Henwood said that for us the sum total of the area dedicated to the right-of-way is a little less. The sum total of the area dedicated to units is essentially the same. Ms. Strogin said she was not talking volume; she was talking position. Mr. Henwood said in terms of the plat, did it matter if it was 5-feet this way or 5-feet that way, no. He understood for zoning it is very important, but it is important to establish whose jurisdiction belongs with whom. Mr. Henwood said they (Planning staff or Planning Commission) are not talking about zoning compliance. He said they look to the Township and say, 'does it comply with zoning' and want a 'yes' or 'no' answer (from the Township).

Mr. Henwood said planning staff requires that the applicant address zoning issues in the jurisdiction where it is appropriate for that discussion to happen. He said the details of the zoning are not our (Planning staff) concern and are not the Planning Commission's concern.

Mr. Henwood stated when he got the comments from Ms. Strogin and saw that it was not satisfactory, he contacted Rolling and Hocevar and told them to sort things out with the Township.

Dan Petersen, Rolling and Hocevar, stated that they take the responsibility for not sharing the changes with the Township.

Ms. Conley moved to approve staff recommendations of Approval with Modifications for the Retreat at Lake Medina, Ph 2 Replat subdivision, application 025-2016 R.

Mr. Henwood reminded the Planning Commission of Mr. Jeffers comment regarding the soils and asked if they would like to incorporate that into their motion. Ms. Heinly asked for clarification of the wording. Mr. Jeffers repeated his recommendation that the soils be tested for stability to

assure they can support the weight of the structures. Ms. Conley added Mr. Jeffers comment to her original motion.

In addition, it was recommended that the soils in the area be tested for stability to assure they can support the weight of the structures. Ms. Albrecht seconded the motion. All members voted AYE and the motion carried.

VII. PLANNING DIRECTOR'S REPORT

Mr. Henwood said the letter in front of them is requesting applications for CDBG. He said part of the duties of the Planning department have been growing over the last couple of years so when they do these items he likes to keep the Planning Commission up to date. All the unincorporated jurisdictions, villages, Brunswick City and Wadsworth City are now eligible for the CDBG program funding under the allocation program through the County.

Mr. Henwood said if they are aware of any projects a community would like to do please feel free to share any of the information that he has handed out. He said the more applications they get the better project they can run. He added that even if communities are not funded the first time they turn in their applications and they will receive feedback. He said they retool an application in a subsequent year and it keeps a steady stream of projects coming to the office.

Ms. Jesionek said that the due date is May 6th. Mr. Henwood said yes.

Mr. Jeffers questioned the more applications Mr. Henwood received, if that weighed to how much money is funded to that program the following year. Mr. Henwood said no. He said there is a formula the State uses to calculate the amount that goes to each jurisdiction. Just recently, the City of Wadsworth lost its ability to be a direct recipient of CDBG funds so the amount the County received this year versus last year increased by \$40,000. He said the City of Brunswick had the same issue happen around four years ago. When a direct city recipient falls under a county's jurisdiction, then the State adds additional dollars.

Mr. Jeffers asked if the grants were on a one to one basis. Mr. Henwood said no, no money is required on the side of the entity submitting a project. He said it helps, but it is not required for a community to qualify.

Ms. Strogan asked what type of projects Mr. Henwood was discussing. Mr. Henwood said primarily the project needed to serve low to moderate income residents. In order to qualify they have to have census block groups with at least 30% low to moderate income. He did not believe Medina Township had that. However, if they were looking to serve disabled adults or elderly residents or remove slum and blight conditions, then they would be eligible and fundable under CDBG.

Ms. Albrecht asked what would be an example for projects that would benefit the elderly or disabled besides sidewalks. Mr. Henwood answered restroom modifications, ramps, etc. He said Seville did a handicap accessible playground with a safety play surface that allows people in wheelchairs to get into the playground and participate. He said that Seville has applied for another round of funding and they are installing a walkway with handicap accessible parking spaces.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

There was no Other Business.

X. ADJOURNMENT

Ms. Albrecht moved to adjourn the April 6, 2016 MCPC meeting at 7:16 p.m. Mr. Williams seconded the motion. All voted AYE and the motion carried.

Val Jesionek, President

Cheryl Heinly, Admin Asst.