



MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, DECEMBER 7, 2016, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

Attendees / Representing (from sign-in sheet):

Jason Brenner, Lewis Land
Mike Kendall, GBC Design
Alliss Strogan, Lafayette Township
Carolyn Sims, Westfield Township
Frank Maimone, Wadsworth Township
Scott Bennett, Westfield Lakes
Andy Conrad, Highway Engineer
John DeMund, Greenhaven Development
C Thomas Burger, self

MCPC Members and Alternates in Attendance:

MCPC Members:

Jeff Brandon
Sally Albrecht
Paul Jeffers
Val Jesionek
Mark Kolesar

MCPC Alternates:

Jerry Cook, (for Pat Geissman)
Kevin Ball, (for Tim Smith)
David Williams, (for Pat Geissman)
Ray Schulte, (for Colene Conley)

MCDPS Staff:

Cheryl Heinly, Administrative Assistant
Rob Henwood, Planning Director

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

I. ROLL CALL

Ms. Jesionek asked Ms. Heinly to call the roll. Mr. Brandon, Ms. Albrecht, Mr. Jeffers, Ms. Jesionek, Mr. Kolesar, Mr. Cook, Mr. Ball, Mr. Williams, and Mr. Schulte were present at the time roll was called.

II. MINUTES

Ms. Jesionek asked if there were any questions or comments regarding the November 2, 2016 minutes. There was none.

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

III. CORRESPONDENCE

Mr. Henwood stated that on the table were some comments on the subdivisions from Tax Maps that came in too late to add to the staff reports.

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. Sharon Preserve, 110-2016 PP-Ext, Preliminary Plan Extension Request, Sharon Twp

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the north side of Ridgewood Road between Ridge and Medina Line Roads.

The following elements are proposed on the 100.55-acre site:

- 38 sublots served by central water and sewer.
- Two permanent cul-de-sacs and a street connection between Ridgewood Road to the south and Stags Leap Drive to the north in the adjoining Estates of Sharon Falls subdivision.
- Construction of five storm water basins and an existing pond will also be utilized for storm water purposes.

The Preliminary Plan was originally approved by the Planning Commission in July of 2007. The most recent Preliminary Plan was approved in November of 2013. See the complete Planning Commission approval summary table below:

MCPC Approval	Date
Concept Plan	May 2007
Preliminary Plan	July 2007
Preliminary Plan Extension	July 2009
Preliminary Plan Extension	June 2010
Preliminary Plan	November 2013
Preliminary Plan Extension	November 2015

The subject property is zoned R-1 Residential. The Sharon Township Zoning Resolution indicates single-family homes are permitted uses (§ 601). The minimum lot size is two acres, with a minimum 200 foot lot width or 60 feet of frontage on cul-de-sacs with 200 foot lot width, measured at the building line (§ 601-2(C)).

Discussion:

Jason Brenner, Lewis Land Professionals, stated that everything outstanding was submitted and that he would answer any questions.

Mr. Cook moved to approve staff recommendations of Approval for the Sharon Preserve Preliminary Plan Extension Request subdivision. Mr. Williams seconded the motion. All voted AYE and the motion carried.

B. Falcon Pointe at Lake Medina, Ph 3, 115-2016 FP, Final Plat, Medina Twp

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located south of Granger Road, east of Foot Road and west of Nettleton Road; the Falcon Pointe site is located on the west side of Lake Forest Trail.

The applicant proposes the following on the Replat:

1. Create eight cluster sublots; Sublots 40 through 47.
2. Create Block A-2.
3. Create a utility easement in the area surrounding the private street Eagle Pointe Court.
4. Create a sanitary sewer easement to connect with the existing sanitary sewer easement that was created by the Lake Medina Reserve Subdivision Phase 1 plat.

The original Preliminary Plan for Lake Medina Reserve was approved by the Medina County Planning Commission (MCPC) in October of 2003 and the Phase One Final Plat was approved in June of 2004. The Replat creating the first phase of Falcon Pointe was approved in November of 2004.

Subdivision Stage	Approval Date
Preliminary Plan	October 2003
Revised Preliminary Plan	June 2004
Final Plat, Phase 1	June 2004
Revised Preliminary Plan	September 2004
Replat (Phase 1)	November 2004
Replat (Phase 2)	September 2005
Preliminary Plan	May 2015
Preliminary Plan (Administrative)	November 2016

Discussion:

William Bailey, applicant, said he was in agreement with the staff comments.

Alliss Strogin, Medina Township Zoning, said she was good with everything and would answer any questions.

Mr. Williams moved to approve staff recommendations of Approval with Modifications for the Falcon Pointe at Lake Medina Replat subdivision. Mr. Jeffers seconded the motion. All voted AYE and the motion carried.

C. Westfield Terrace, 116-2016 PP, Preliminary Plan, Westfield Twp

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the east side of Lake Road and on the south side of Eastlake Road.

The applicant proposes the following:

- 104 sublots to be constructed in two phases; 28 sublots in Phase One and 76 in Phase Two.
- Three private streets:
 - A divided boulevard entrance, Ayrshire Boulevard, accessing Lake Road.
 - A loop road, internal to the subdivision, Chesterfield Drive that also terminates in a permanent cul-de-sac.
 - An access road to Eastlake Road, Sussex Lane.
- Two storm water management basins are to be located in Block G adjacent to the proposed Sublots 70 and 71 and in Block C adjacent to Sublot 1.
- The site is to be served by central water and sanitary sewers.

The Concept Plan for this iteration of the subdivision was held in October of 2016. The original Final Plat for the site, which was intended for use as a manufactured home community, was approved by the Planning Commission in April of 2003 has been platted. The preliminary plan was approved conditionally in March of 2001. A preliminary discussion was held in July of 1999.

The recorded final plat created sanitary sewer and water main easements, which double as access easements for private streets. Additionally the remaining land was recorded as Block A. The plat also created areas for road dedication along Lake and Eastlake Roads.

The subject property is zoned SR Suburban Residential. The Westfield Township Zoning Resolution indicates Planned Developments are a conditionally permitted uses in the SR District (§ 304). Planned developments require 30 contiguous acres and may not exceed a density of four units per acre when located in the SR district. A minimum of 30 percent of the site must be dedicated to open space and no more than 30 percent of the designated open space may be open water or wetlands.

§ 207(A) states “[n]o building shall be erected within 200 feet from any oil and gas well, storage tank and/or separator units abandoned or not abandoned.” Notes shown on the Preliminary Plan indicate 100-foot well setbacks. Evidence of variances granted by the Westfield Township Board of Zoning Appeals (BZA) will need to be submitted in order for the 100-foot setbacks to be permissible.

Discussion:

Scott Bennett, developer, said he would answer any questions.

Carolyn Sims, Westfield Township Zoning Inspector, stated that she would answer any questions. She said this is more acceptable as it is less dense than the mobile home park plan. She said the Township would like to reserve the right, according to their procedures, that they come back for a final approval pending all the outstanding items that Mr. Henwood has laid out.

Mr. Jeffers asked about the gas well that was behind subplot 84 and if the regulations require that it be so many feet from the subplot line or the building line. Ms. Sims said it is 200-feet from the building line.

Mr. Brandon asked if there were any manufactured homes. Carolyn Sims said no.

Ms. Albrecht asked if there would be some replatting for some of the parcels. Mr. Henwood said yes, when they submit with the first phase, he figured they would have time to replat at least where the first phase was being platted.

Mr. Kolesar asked why Mr. Henwood skipped over the Soil and Water Conservation comments. Mr. Henwood said it was only in the interest of saving time. He said the Regulations are very clear about wetlands in terms of the Township. He said the Planning Commission's oversight of wetlands and streams primarily falls to the Township. He added that the Planning Commission does not have any jurisdiction as long as they are shown on the document.

Mr. Jeffers moved to approve staff recommendations of Approval with Modifications for the Westfield Terrace Preliminary Plan subdivision. Mr. Brandon seconded the motion. All members voted AYE and the motion carried.

D. Dover Highlands, Ph 5, 117-118-2016 PP, Preliminary Plan, Final Plat, Lafayette Twp

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the west side of Ryan Road, north of Wedgewood Road (S.R. 162), east of Lake Road and the abandoned B & O Railroad tracks and the Chippewa Rail Trail.

The applicant requests approval of the following:

1. Preliminary Plan approval. The plan has expired. The proposed plan is substantially consistent with the previously approved Preliminary Plan with some minor adjustments. Phase 5 incorporates 8 sublots (220 through 227) and one Open Space Block (L) that were previously shown in Phase 6.
2. Phase 5 Final Plat approval. The plat proposes to create the following on the 22.6774 acre site:
 - a. 40 sublots.
 - b. Two public streets with 60 foot rights-of-way and associated utility easements:
 - i. Extend Coverdale Way to the west and south.
 - ii. Extend Hooper Drive to the west, terminating in a temporary cul-de-sac.
 - c. Two Open Space Blocks; K and L each containing 7.4431 and 0.4231 acres respectively.
 - d. One storm water management easement located within Block K.

The original Preliminary Plan for the subdivision was approved by the Medina County Planning Commission (MCPC) in April of 2003. That plan consisted of 131 acres and provided for 266 dwelling units. A revised Preliminary Plan was approved in July of 2005 that added 7 acres and 15 sublots. The most recent plats, Phases 3 and 4, were approved in September of 2015. A complete history of the subdivision approvals is included to the left.

Zoning: The subject site is zoned MCB Medina City Buffer District. According to the Lafayette Township Zoning Resolution, amended in 2013, the purpose of the MCB District is

to, “provide a buffer area between the Township and Medina City, encouraging land to remain and develop in the Township by allowing a somewhat higher density than is generally allowed in the Township with minimal additional roadway construction but at a lower density than would be available upon annexation to the city of Medina thus limiting and halting the systematic erosion of the Township boundaries due to annexation.” Subdivisions with single-family homes are conditionally permitted uses in the MCB; at least 30% of the site must be set aside as open space.

Discussion:

John DeMund, Greenhaven Development, stated that they had nothing to add and that he would answer any questions.

Alliss Strogin, Lafayette Township Zoning Inspector, said that as Mr. Henwood pointed out this was approved quite a while ago and that is why there is not much of a change or modification of the plans. She said the Township is very pleased that this is now active.

Mr. Kolesar asked if with lots 203-212 there would be a temporary stub. He said it is next to the County Parks trail system. He added as a comment that it would be great for the developer to maybe eliminate the stub and keep some of the wooded area to be part of a park setting.

Mr. Jeffers asked about storm water management behind lots 189, 190, and 191, needing variances for the homes. Mr. Henwood asked if that was in phase 5. Mr. Jeffers said yes. Ms. Strogin said there has been a zoning change, which benefits the developer. She said they had a 30-foot rear yard setback and a couple of years ago it was changed to 10-feet. She said the lots that Mr. Jeffers spoke about, the developer would have to build a house that fits to the lot.

Mr. Cook moved to approve staff recommendations of Approval with Modifications for the Dover Highlands Preliminary Plan, Phase 5 subdivision. Mr. Ball seconded the motion. All members voted AYE and the motion carried.

Mr. Cook moved to approve staff recommendations of Approval with Modifications for the Dover Highlands Final Plat, Phase 5 subdivision. Mr. Jeffers seconded the motion. All members voted AYE and the motion carried.

F. Brunswick Hills Township Text Amendment, 108-2016 TA

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment amending Table of Contents and Sections 301-1 and 411, clarifications for Conservation Development Overlay.

In a letter dated October 10, 2016 from Mary Jean Milanko, Secretary to Brunswick Hills Township, a request for a Zoning Text Amendment was submitted. In this letter, she explains, “in 2007 during the revision of the Brunswick Hills Township Zoning Resolution, a new CDO Conservation Development Overlay District was created that serves as an alternative to conventional subdivision development in the R-R (Rural Residential) district. The proposed edits are to clarify that the Conservation Development Overlay is not a separate district, but can only be developed in the RR Rural Residential District.”

Discussion:

Ms. Jesionek asked Mr. Henwood if the Brunswick Hills Zoning Commission agreed with his recommendation. Mr. Henwood said he did not know.

Mr. Kolesar moved to approve staff recommendations of Approval with Modifications for the Brunswick Hills Township Text Amendment, application #108-2016 TA. Ms. Albrecht seconded the motion. All voted AYE and the motion carried.

G. York Township Text Amendment, 119-2016 TA

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment amending various items.

Discussion:

There was no discussion.

Mr. Jeffers moved to approve staff recommendations of Approval with Modifications for the York Township Text Amendment, application #119-2016 TA. Ms. Albrecht seconded the motion. All voted AYE and the motion carried.

H. Wadsworth Township Text Amendment, 109-2016 TA

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment amending various items.

Discussion:

Frank Maimone, Wadsworth Township Zoning Commission, stated that they are having a very hard time holding onto property as the property owners are selling their properties to developers. He said one water source could be a central well serving more than one unit. Mr. Maimone said that the developers would rather have city water than utilize a central well.

Mr. Maimone said there was 10 pages that was redundant between the R-1, R-2, and R-3 so it was condensed to one table. He said they would love to keep the Rural, but the reality is that they are losing it.

Mr. Kolesar asked if they were giving up on Rural Residential and inquired if the zoning tried to protect some of the rural character. Mr. Maimone answered that yes, but if residents are selling the lots, this is the problem. Mr. Kolesar asked if they were being annexed in by the City based on water. Mr. Henwood verified that yes; water is an issue. Mr. Kolesar asked if the County had any water in that area. Mr. Henwood said there some County water north, in Sharon Township. Mr. Kolesar thought there was County water out by the church on SR 94. Mr. Maimone verified what Mr. Kolesar said, that there was one lot across from the church and one particular building is the last building that has City water.

Mr. Maimone was not sure what the answer would be, maybe having two properties sharing a well. He said they are open to any suggestions. Mr. Henwood said that the basis for a Comprehensive Plan was to provide the basis for the zoning. He said to have the Comprehensive Plan and the Zoning Resolution in conflict with each other does not make sense. He said they should amend the Comprehensive Plan to reflect what is in the Zoning Resolution. Mr. Maimone agreed that the text should stay and that they would not take it out.

Mr. Jeffers asked about accessory buildings with same owners and split lots, meaning the accessory building could be on one lot and the primary structure on another, (Section 305.18). He asked what is stopping that owner from selling that lot with just an accessory building on it. He also asked if their code allowed for a lot with only an accessory structure and no primary. Mr. Maimone stated that the Township does not have an issue with that and it was not a

violation. He said that the size of the accessory structures was more of a concern for the smaller lots.

Mr. Kolesar moved to approve staff recommendations of Approval with Modifications for the Wadsworth Township Text Amendment, application #109-2016 TA. Mr. Brandon seconded the motion. All voted AYE and the motion carried.

I. Sharon Township Map Amendments, 113-114-2016 MA

Mr. Henwood presented the staff report to the Commission regarding the above captioned map amendments, 1096 Medina Road, the Berger property, rezoning from R-1 to C-2.

Discussion:

Mr. Henwood pointed out to the applicant that the Planning Commission is only a recommending body to the Township. He said the Planning Commission would provide a recommendation and the Township could chose to follow that, or they may not. The applicant said he understood.

Thomas Berger, owner, said he would like to address the four comments disapproving the map amendment from Mr. Henwood's staff report.

Jodi (?), Keller Williams, stated she has sold 400 units, which are owned, not rented. She stated that the last building that was built, in 2013, is a tax value of \$38,530 with each one of those units realizing \$713.75. She felt that based on demand these units would sell easily for \$50,000 apiece. Each unit would realize \$926.24 per unit, per year. Annually the County would receive \$69,467.95 and based on the allocation, Sharon Township would get just shy of \$10,000 a year of income. At the present time, as bare land, it is bringing in \$623.74 in tax dollars. Jodi (?) said they are looking at \$623.74 versus \$69,000.

Mr. Berger brought some materials (blown up photos, etc.) to show the Commission and approached the Planning Commission Board table. The materials were spread out on the table and some members got out of their chairs to see the materials better. At that time numerous discussions ensued that were not audible.

Mr. Kolesar stated that he was worried about the property owners living in the Kings Ridge subdivision that would be impacted. He said he has always felt there should be a proper buffer between commercial and residential. Mr. Kolesar stated that it seems the residents are the ones putting in the buffers to divide what is already there. He said now the applicant is asking to go even further back, to be even closer to those residents. He said he has issues with them going beyond the 1,000-feet.

Mr. Kolesar moved to approve staff recommendations of Disapproval for the Sharon Township Map Amendment, application #113-2016 MA. ~~The Planning Commission Approved the Map Amendment by Roll call~~ Call vote was taken, 6-3. Mr. Brandon, Ms. Albrecht, Mr. Ball, Mr. Williams, Mr. Cook, and Mr. Schulte voted AYE, to approve the Map Amendment. Mr. Kolesar, Ms. Jesionek, and Mr. Jeffers voted NAY. The Planning Commission Approved the Map Amendment by Roll Call vote, 6-3. (This disapproved staff's recommendation of disapproval.)

Mr. Henwood presented the staff report for Commission regarding the map amendment for application #114-2016 MA, 2620 Medina Road.

Discussion:

Mr. Kolesar asked if this was the deepest property in the C-2 zoning. Mr. Henwood thought there were some that were a little deeper.

Mr. Cook asked how deep the parcel was. Mr. Henwood said it was a little over 1,000-feet.

Mr. Jeffers moved to approve staff recommendations of Approval for the Sharon Township Map Amendment, application #114-2016 MA. Ms. Albrecht seconded the motion. All voted AYE and the motion carried.

J. Sharon Township Text Amendment, 123-2016 TA

Mr. Henwood presented the staff report to the Commission regarding the above captioned text amendment amending Add a new section in Article IV General Provisions, Section (§) 400-4 Medical Marijuana.

The amendment proposed by the STZC, is to add a new section in Article IV General Provisions to prohibit Medical Marijuana uses.

Discussion:

Mr. Jeffers asked if Mr. Henwood found that the County as a whole was doing zoning amendments or resolutions. Mr. Henwood said both. He said he was surprised by some of the Townships that are holding off and waiting to see what the actual licensing is going to involve.

Mr. Cook moved to approve staff recommendations of Approval with Modifications for the Sharon Township Text Amendment, application #123-2016 TA. Mr. Williams seconded the motion. All voted AYE and the motion carried.

VII. PLANNING DIRECTOR'S REPORT

Mr. Henwood said he had nothing to report this month.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

There was no Other Business.

X. ADJOURNMENT

Ms. Jesionek adjourned the December 7, 2016 MCPC meeting at 8:32 p.m.

Val Jesionek, President

Cheryl Heinly, Admin Asst.