



MEDINA COUNTY PLANNING COMMISSION  
MINUTES OF MEETING  
WEDNESDAY, AUGUST 1, 2018, 6:30 P.M.  
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

**Attendees / Representing (from sign-in sheet):**

David Hull, York Township  
Alliss Strogan, Medina Township  
Tom Wilson, Hinckley Township  
Bruce Schneider, Hinckley Township  
Travis Crane, TGC Engineering  
Mike Cavey, Medina CC  
David Hartt, Terry/Hinckley  
Sherry Abell, self  
Trina Devanney, Montville Township  
David Terry, Terry Properties

**MCPC Members and Alternates in Attendance:**

**MCPC Members:**

Sally Albrecht  
Jeff Brandon  
Paul Jeffers  
Cliff Calaway  
Ray Schulte

**MCPC Alternates:**

David Williams, (for Pat Geissman)

**MCDPS Staff:**

Cheryl Heinly, Admin Assistant  
Rob Henwood, Director

Vice President Jeff Brandon called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance.

## I. ROLL CALL

Ms. Albrecht, Mr. Brandon, Mr. Williams, Mr. Calaway, Mr. Jeffers, and Mr. Schulte were present at the time roll was called.

## II. MINUTES

Mr. Brandon asked if there were any questions or comments on the July 3, 2018 minutes. There was none.

*Ms. Albrecht moved to approve the July 3, 2018 minutes as presented. Mr. Jeffers seconded the motion. All voted AYE and the motion was approved.*

## III. CORRESPONDENCE

Mr. Henwood said there was no correspondence.

## IV. CONSENT CALENDAR

### A. Valley Estates, Phase 6-7, 057-2018 PP, Preliminary Plan (expired), Liverpool Township

Mr. Henwood prepared the staff report regarding the above captioned subdivision located east of Station Road between Center Road (SR 303) and West Law Road.

**Proposal:** The applicant proposes the following, which does not vary from the approved Preliminary Plan:

- 35 sublots. The remaining phases are proposed to be constructed in two phases (Phases 1 through 5 have been constructed); Phase 6 has 12 sublots and Phase 7 contains 23 sublots.
- Extend two public streets Stagecoach Trail and create Mason's Way (both with 60 foot right-of-ways (ROW)) a permanent cul-de-sac street. Stagecoach Trail terminates in a street stub to undeveloped property to the north.
- Central sewer and water service

**History:** The first five phases of the subdivision are platted and primarily built. A Concept Plan for the remaining phases of the subdivision was held by Department of Planning Services (DPS) in January of 2004. A Revised Preliminary Plan was approved administratively in March of 2016. The Final Plat for Phase 5 was approved in August of 2016 by the Medina County Planning Commission (MCPC).

**Zoning:** The subject property is zoned R-R Rural Residential. The Liverpool Township Zoning Resolution indicates that the purpose of the district is to;

- Provide for rural residential development at a low density, which will promote the continuation of the predominant rural residential character of the Township.
- Where central sewer and water are available, provide for low-density residential development at a density of one (1) acre per dwelling unit. § 301.1

Single-family dwellings are a permitted use. § 301.2(A)

**Comprehensive Plan:** The Future Land Use Map (Map 9) contained in the 2006 Liverpool Township Revised Comprehensive Development Policy Plan: Planning for 2015, (Plan) recommends the subject site for residential use.

There was no discussion for the Consent Calendar.

*Ms. Albrecht moved to approve the Consent Calendar consisting of Valley Estates, Phase 6-7, expired Preliminary Plan, for staff recommendations of Approval with Modifications. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

## V. OLD BUSINESS

There was no Old Business.

## VI. NEW BUSINESS

### A. Whitetail Ridge, 055-2018 PP, Preliminary Plan, Liverpool Township

Mr. Henwood presented the staff report for the Commission regarding the above captioned subdivision located on the southeast corner of the intersection of Center (S.R. 303) and Columbia (S.R. 252) Roads.

**Proposal:** The applicant proposes the following on the 47.65-acre site:

- 13 sublots varying in size from 17,899 to 35,508 square feet (0.41 to 0.82 acres)
- Open Space, 6.9 acres including:
  - Block A, 6.6 acres
  - Block B, 0.3 acres
- Central sewer and water
- Deer Hollow Drive a private permanent cul-de-sac street with a 45-foot access easement and associated utility easements providing access to nine sublots.
- A common drive with a 50-foot access easement and associated utility easements providing access to four sublots
- One stormwater basin

**Zoning:** The subject property is zoned R-R Residential and the applicant is requesting that the site be developed under the Controlled Density Overlay (CDZ) regulations. The Liverpool Township Zoning Resolution Section (§) 301.1 states that “[t]he purpose of this district is to provide for rural residential development at a low density which will promote the continuation of the predominant rural residential character of the Township.” The zoning resolution goes on to further state that “[w]here central sewer and water are available, it is the intention of this district to provide for low density residential development at a density of one (1) acre per dwelling unit.”

The Liverpool Township Zoning Resolution Section (§) 414.2 B also indicates that;  
*Controlled Density Zoning encourages the permanent preservation of relatively large tracts of land (consisting of, but not limited to, open natural areas, woodlands, greenway systems, wildlife habitats, flood plains, agricultural lands, wetlands, and waterways) of the Rural Residential*

*District. These provisions and requirements are established as alternatives to a number of the residential lot requirements found elsewhere in the Resolution.*

Single-family residential detached dwellings are a permitted use (§ 6R1.2(A)).

The following CDZ regulations are applicable to this proposed subdivision:

- § 306.5 Density Requirements: The total number of allowable dwellings within a CDZ subdivision shall be calculated by taking the total acreage to be developed divided by... 1.2 for areas serviced by central water and sewer. The number calculated will be rounded to the lower whole number to determine the actual allowable number of dwellings. 15.61 acres / 1.2 = 13 dwelling units.
- § 306.7 Yard Requirements:
  - a. Front yard setback, 70 feet
  - b. Minimum side yard width, 30 feet total with 10 foot minimum at one side
  - c. Minimum rear yard depth, 40 feet
- § 306.8 General Requirements:
  - a. Minimum site area, 15 acres
  - b. Minimum open space area, 40% of the total site

**Comprehensive Plan:** The proposed subdivision is consistent with the 2005 Liverpool Township Development Policy Plan's Goal 2, which seeks to "promote the rural atmosphere of the Township while providing for balanced growth." Utilization of the Controlled Density Overlay District regulations on the subject site is consistent with the listed implementation strategies which recommends that the community "[c]ontinue the use of the special zoning districts where the preservation of open space and natural features will reasonably apply" and "[e]ncourage the use of special zoning districts that will require buffers between unlike uses and the preservation of a percentage of open space, including environmentally-sensitive features."

**Discussion:**

Mr. Jeffers asked about the Sanitary Engineer comment. Mr. Henwood said that the engineer was present to address these issues.

Travis Crane, TGC Engineering, stated that the comment from the Sanitary Engineers was related to the water location. He said there is adequate service for both sewer and water. There was just a misunderstanding of where they were going to tap into the water. Mr. Crane said it was proposed to tap in off SR 303 on the NW corner. He said they recommended that they come off SR 252 but they were trying to avoid a bore under SR 252 and tap in on the south side of SR 303. He said at the end of the day it is their water and they will accommodate their request.

Ms. Albrecht said that it looked like they were digging the sewer on SR 303. Mr. Crane answered that it was for the Quail Ridge subdivision on the NE corner.

*Mr. Jeffers moved to approve the staff recommendations of Approval with Modifications for Whitetail Ridge, Preliminary Plan. Mr. Schulte seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

## **B. Lafayette Township Map Amendment, 054-2018 MA.**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment located at the southeast corner of Lake Road and Wedgewood Road (SR 162) and the northeast corner of the intersection of the Chippewa Rail Trail and SR 162

The applicant proposes to expand the Golf Course Planned Unit Development Overlay Zone area to include the subject parcels. The proposed Map Amendment mirrors the Text Amendment approved by the Medina County Planning Commission (MCPC) in January of 2018.

**Proposal:** The Lafayette Township Trustees requested that the Zoning Commission propose a Map Amendment that adheres to the expansion of the GCPUD Golf Course Planned Unit Development Overlay District contemplated by the Text Amendment reviewed and approved by the Medina County Planning Commission at the January 2018 meeting. The proposal will expand the district by adding four parcels with the following parcel numbers:

020-10B-32-002, 0.57 acres.

020-10B-32-003, 6.00 acres.

020-10B-32-004, 5.2706 acres.

020-10D-04-003, 32.6561 acres.

**Comprehensive Plan:** The Future Land Use Map contained in the 2010 Lafayette Township Comprehensive Plan recommends the following uses on the subject site per § 9(B):

1. Single-family and two-family residential including density-neutral clustered single-family residential on the portion of the site on the south side SR 162.
2. Higher density Residential single-family and two-family residential including density-neutral clustered single-family residential on the portion of the site on the north side SR 162.

### **Discussion:**

Mr. Schulte asked if there would be three variables of zoning for this property. Mr. Henwood explained that the property to the north, where the driving range and tennis courts are located, is currently zoned Lafayette Township Transitional District. He said the property that is at the SE corner of Lake and Wedgewood Roads is currently zoned RR. Mr. Henwood said what they are proposing is that the text went through in January listing the parcels that were going to be included. He said this is an Overlay District that will overlay the existing zoning and the idea is if the existing property owners are so inclined either they can develop with the new zoning that is overlaying those other districts or they can use the zoning that is already there.

Alliss Strogin, Lafayette Township, said that they want to expand the golf course overlay for many reasons. She said that the applicant wanted to have more housing because of the sewer costs so the zoning commission did go along with their request as far as adding extra parcels into the overlay district. She said they did change the density but what they did not do was make the map change and she did not know why. Ms. Strogin said no one is present tonight from the zoning commission to explain so she tried to and said, "maybe they forgot and were a little mixed up." She said maybe they did not know if they were going to put all three parcels together and they decided to wait. Ms. Strogin said the township just wanted to get this fixed and this was a basic housekeeping thing.

Mr. Jeffers asked about maintaining the open space or block areas. Ms. Strogin said there is about 25% and the golf course is part of the open space, which is about 160 acres.

Mr. Jeffers moved to approve the staff recommendations of Approval for the Lafayette Township Map Amendment, expanding the GCPUD. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.

\*\*Sally Albrecht and Jeff Brandon, Planning Commission members, left the room, as they are Montville Township Trustees and will voting on the following agenda item, 6:56 p.m. Mr. Williams took over as chair.

**C. Montville Township Text Amendment, 053-2018 TA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment of various amendments including Chapters 210, 330, 410, 412, 414, 450, and 790.

**Proposal:** The ZC has submitted the following proposed zoning text amendments to the Montville Township Zoning Resolution (ZR) for review by the Planning Commission.

Section (§)	Description	Page
210.9	Add definition for “Agricultural Production”	1
210.10	Add definition for “Agritourism”	2
210.11	Add definition for “Agritourism Provider”	2
210.50	Add definition for “Conservation Practices”	2
210.59	Edit definition for “Dwelling, Detached Single-Family”	2
210.60	Delete definition for “Dwelling, Standard Detached Single-Family”	2
210.71	Add definition for “Farm”	2
210.105	Edit definition for “Junk”	3
210.106	Edit definition for “Junkyard”	3
210.178	Add definition for “Salvage”	3
210.179	Add definition for “Salvage Yard”	3
210.212	Add definition for “Solid Waste”	3
210.212	Add definition for “Swimming Pool/Spa”	3
330.2	Add regulations for Agritourism	3-4
410.8(F)(2)	Edit width requirement for driveways	4
412.3(A)(1)	Edit permitted uses per definition change	5
414.5(A)	Edit permitted uses in dwelling type table per definition change	5
790.3(B)	Edit text for compliance correction period	5

**Discussion:**

Mr. Schulte asked about the language being written based on the ORC (Ohio Revised Code). He was trying to sort out if it is already in the ORC, why would it be in the zoning resolution. He asked if it would be to remind everyone that it exists. Mr. Henwood stated that the ORC provides guidance. He felt all that has been proposed is reasonable with the exception to the improvement sections of the resolution. Mr. Henwood said the specific sections to the resolution that are applicable to agri-business should just be listed.

Trina Devanney, legal representation for Montville Township, said that the agri-tourism statute is very new in the state of Ohio. She said there are not many communities that have agri-tourism zoning language in their book. She said one of the caveats to the agri-tourism statute is that if the community does not put it in their regulations they do not get to have any control. Ms. Devanney stated this is why Montville Township is putting it into their zoning regulations. She said the statute varies specifically stating what can and cannot be regulated and it is very purposeful. She

said Planning Services and legal recommendations, while they are many times on the same page they do not always recommend on the same as they are looking at different aspects.

Ms. Devanney said as she reads this Planning Services would like more specificity in this particular language as to exactly which regulations and statutes are applicable. She said because agri-tourism is still very much a new law in the state, new laws very rarely go smoothly. She said often times there are hiccups and interpretations along the way. Ms. Devanney said the way this language was written was so they would not have to keep coming back before the Planning Board. She said this complies with still not allowing the road surfacing, which she thought Planning Services had some major concerns.

Ms. Devanney added that this allows the Township flexibility and control while still complying with the statute.

Mr. Henwood thought that the zoning resolution talks actual hard surface. Ms. Devanney said yes, in the agri-tourism language it says, "...except as required by the Ohio Revised Code (ORC)." She stated that the ORC says that the Township cannot touch what...inaudible.

*Mr. Schulte moved to approve the staff recommendations of Approval with Modifications for the Montville Township Text Amendment, Chapters 210, 330, 410, 412, 414, 450, and 790. Mr. Calaway seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**\*\***Ms. Albrecht and Mr. Brandon returned, 7:06 p.m.

#### **D. York Township Text Amendment, 056-2018 TA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment for various amendments to Sections (§) 301, 404, 506 and 902.

#### **Discussion:**

David Hull, York Township, said he had no comments but would answer any questions.

Mr. Jeffers said "kudos" to the rear lot language as many townships have cut the terminology out of their text and have made them non-conforming lots. Mr. Hull responded, but did not come to microphone so his response was inaudible.

Mr. Schulte questioned the two family dwellings on a rear lot and asked if that meant more than one house. Mr. Hull said that has been in their code forever and typically people on a rear lot want to be by themselves with no neighbors...inaudible.

*Mr. Jeffers moved to approve the staff recommendations of Approval for the York Township Text Amendment for various changes to the resolution. Ms. Albrecht seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**\*\***Ray Schulte, Planning Commission member, left the room, as he is a trustee for Hinckley Township and would be voting on the following item for the township, 7:14 p.m.

#### **D. Hinckley Township Text and Map Amendment, 056-2018 TA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment to add Section (§) 6R3: SHPUD Senior Housing Planned Unit Development and rezoning R-1 Single-Family Residential to SHPUD. The subject site is located on the south side of Center Road (SR 303) east of the intersection with West 130<sup>th</sup>

**Proposal:** The Hinckley Township Zoning Commission (ZC) forwarded a proposal submitted by the applicant, Terry Properties, Ltd., who proposes to add a new section to the Hinckley Township Zoning Resolution (ZR), § 6R3: SHPUD and further to change the zoning district on the 60.0 acre subject property from R-1 to SHPUD, pursuant to Ohio Revised Code (ORC) § 519.12(B). Under § B, a property owner may apply to establish a Planned Unit Development (PUD) district for a particular property that he/she owns. At the same time, the applicant submits a text amendment to the zoning resolution that contains the regulations that will apply to the specific property only. The adoption of the PUD district and the regulations are legislative acts and subject to referendum. Once adopted, however, approval according to the adopted regulations is administrative.

**Current Zoning:** 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 that will promote the continuation of the predominately rural character of the Township.”

Permitted uses include detached single-family homes, accessory buildings and uses, and rear or back lots (ZR § 6R1.2).

**Comprehensive Plan:** The Future Land Use Map, Figure LU.10, of the 2015 Master Policy Plan recommends the subject site for single-family residential use (see Map 2: Future Land Use). Objective LU.4 states that the community should “[g]row consistently with the future land use map.” Action LU.4.1 states “[m]ake future development and zoning decisions that support the implementation of the Future Land Use Map.”

Objective LU.1 states that the community should “[p]romote rural low-density development” by “[m]aintain[ing] a 2-acre minimum lot size in the R-1 District” (Action LU.1.1) and “[d]irect[ing] density-neutral conservation development as a preferred alternative development option in designated areas as shown on the future land use map” (Action LU.1.2).

Objective LU.3 also recommends that the community should “[s]upport senior housing... in the Township by “support[ing] the rezoning of properties currently served by infrastructure to allow the development of senior housing” (Action LU.3.1) and “[a]mend[ing] the Zoning Code to allow detached... senior housing on small lots or cluster developments that will not exceed the maximum gross density of the zoning district” (Action LU.3.2).

#### **Discussion:**

Mr. Jeffers questioned the one dwelling unit per gross acre, as 60 acres is the size of the property. He said 45% is open space minus the streets and R.O.W, so he questioned if 60 units would fit on the remaining 20 some acres. Mr. Henwood said he has not received a formal site plan. Mr. Jeffers said he did not see anything that discussed lot sizes. He said this does not seem like it would fit the typical senior community that you would see with cluster units or smaller homes. Mr. Henwood said he would have to defer to the applicant to answer those questions.

David Hartt, representing the applicant Terry Properties, said that Mr. Henwood laid out very well the rationale for the map change. He said part of the reason they proposed it the way they did was that there would be three concurrent actions by the township, the text, map and approval of the sketch (concept plan). He said the concept plan was submitted with the application but in conversations with the township, it did not look like they wanted to do all three at one time. He said this is something that should be worked out at the township level and not here at the Planning meeting.

Mr. Hartt stated that none of the amendments change the fundamental concept that is being proposed underlying the basic direction that the project was going in. He said regarding the 1,800 square feet (of the homes), this is one story living and they believe these are smaller than many of the houses in Hinckley now so it is downsizing. Mr. Hartt felt this was a first step in mature senior living so it was not going into what he would call an older senior facility.

Mr. Hartt addressed the question concerning the lot sizes. He said they do not have a size at the moment and he did not think there was a minimum lot size in the code subject to the plan review process. He said they have 58% of open space showing on the concept plan outside of the lots and streets so he felt they could do better than the 45% showing now. Mr. Jeffers said part of the question was based on having rear yards and being on the younger side of the senior community.

Bruce Schneider, Hinckley Township Zoning Commission, said he is not speaking for the zoning commission, but that this is still in the process of the public hearing. He said the main reason this was forwarded on from the applicant was because of the timeframe required by the statute. Mr. Schneider noticed the way that some of the things were written are not quite correct, in his view and opinion. He said that presently those services [sewer] were not available; they are way down at the commercial area on SR 303, which are roughly a mile and a half away. He said if you look at the zoning plan, they say they have to be there so somebody is going to build it, but "we" do not know when or how.

Mr. Schneider felt "a lot of that" was put together in a cookie cutter fashion. He said you cannot approve a "plot plan" if it is not in the book. He said they need to get the 6R3 in the book first before they can actually decide on a plan. He said "it also says" 50-75% of that area right now is actually in soybean growth, not grass (sic). Mr. Schneider said it was brought up that these were one story, but they could be two story. He said perhaps some of this should be revised and rewritten and not presented in a "hodge podge direction" as he saw it.

Mr. Schneider saw this as being "rushed" because they have a timeframe and felt this should have been put together in a more professional manner. He said that Mr. Hartt did one of the township's maps and zoning several years ago. Mr. Schneider said that Mr. Hartt told us that this is for this development only, but once it is in the books, somebody will pick it apart again and want to change something else.

David Hartt said that it was his understanding that the sewer is not that far away. He said he understood why the township did not want to approve the plan concurrently with the map and text. He felt the soybean growth on the property is overstated and that 30% of the site is in soybean growth. Mr. Hartt said they are not rushing this through. He said the continuation of the public hearing is tomorrow evening and he did not expect there to be any action on it.

*Mr. Jeffers moved to approve the staff recommendations of Approval with Modifications for the Hinckley Township Text Amendment to add Section (§) 6R3: SHPUD Senior Housing Planned Unit Development. Mr. Williams seconded the motion. Mr. Jeffers voted NAY due to some of the text not clearly stating setbacks and felt that it needed some revisions. All other members voted AYE (to approve staff recommendations) and the motion was approved.*

*Mr. Jeffers moved to approve the staff recommendations of Approval for the Hinckley Township Map Amendment rezoning R-1 Single-Family Residential to SHPUD. Ms. Albrecht seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**\*\*Ray Schulte returned, 7:50 p.m.**

## **VII. PLANNING DIRECTOR'S REPORT**

Mr. Henwood said he did not have any business to discuss.

## **VIII. PUBLIC PARTICIPATION**

There was no Public Participation.

## **IX. OTHER BUSINESS**

There was no Other Business.

## **X. ADJOURNMENT**

Mr. Brandon asked for a motion to adjourn the August 1, 2018 MCPC meeting at 7:52 p.m.

*Ms. Albrecht moved to adjourn the August 1, 2018 MCPC meeting. Mr. Jeffers seconded. All voted AYE and the motion was approved.*

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Jeff Brandon, Vice President

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Cheryl Heinly, Admin Asst.