



MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, JANUARY 3, 2018, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

Attendees / Representing (from sign-in sheet):

William Spellman, Hinckley Twp ZC
Travis Crane, TGC Engineering
Cliff Calaway, City of Brunswick
Tom Wilson, Hinckley Twp
John Sumodi, Skyland Land Company
Mike Cavey, Medina Country Club
Sherry Abell, Abell/Miller/Fisher
Rich Javorek, Lafayette Twp
Ted Lesiak, Medina CC Attorney
Jason Brenner, Lewis Land Professionals
Tim Powers, Trillium Creek
Alliss Strogin, Lafayette Twp
Jim Aylsworth, Lafayette Twp

MCPC Members and Alternates in Attendance:

MCPC Members:

Mark Kolesar
Sally Albrecht
Jeff Brandon
Paul Jeffers
Ray Schulte

MCPC Alternates:

David Williams, (for Pat Geissman)
Jason Stevenson, (for Bill Hutson)
Ralph Copley, (for Buck Adams)

MCDPS Staff:

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

Planning Director Robert Henwood called the meeting to order at 6:30 p.m. and began with the Pledge of Allegiance. Mr. Henwood moved on saying since it is the beginning of the year; it was time to vote for the officers of the Board of the Planning Commission.

I. ELECTION OF OFFICERS

Mr. Henwood opened the floor for nominations. *Mr. Jeffers nominated Mr. Mark Kolesar for President, Mr. Jeff Brandon for Vice President, and Mr. Jerry Cook for Second Vice President.* There were no objections or comments, all the nominations for the appointed positions were accepted, as there were no other nominations. *Mr. Williams seconded the motion. All voted AYE and the motion passed.*

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

II. ROLL CALL

Mr. Kolesar, Mr. Brandon, Ms. Albrecht, Mr. Jeffers, Mr. Williams, Mr. Copley, Mr. Schulte, and Mr. Stevenson were all present at the time roll was called.

III. MINUTES

Mr. Kolesar asked if there were any questions or comments on the December 6, 2017 minutes. There was none.

Ms. Albrecht moved to approve the December 6, 2017 minutes as presented. Mr. Jeffers 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.

VII. NEW BUSINESS

******Board Member Ray Schulte stepped out, as he is a Hinckley Township Trustee, 6:33 p.m.

A. Skyland, 110-2017 PP, Preliminary Plan, Hinckley Township

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located near the northeast corner of the intersection of Center (S.R. 303) and Stony Hill Roads.

Proposal: The applicant proposes the following on the 198-acre site:

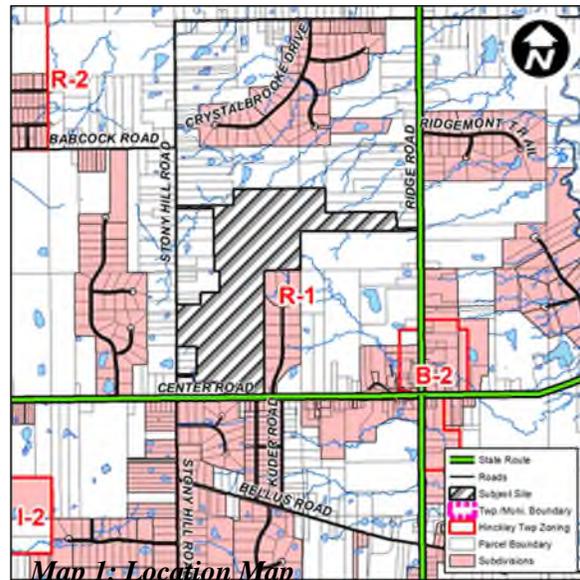
- 98 sublots, 0.3595 to 1.6031 acres
- 99.13 acres of Open Space or 50 percent of the site area
- Central water and sanitary sewer

- Four public streets with 60-foot right-of-ways (ROW); Streets A through D. Proposed Streets B and D terminate in permanent cul-de-sacs; Street D terminates in permanent cul-de-sacs to the northwest and southeast.
- Three stormwater management basins

History: A Concept Plan was reviewed in October of 2017.

Access: Access to the site is via proposed Street A from Center Road and Street C from Stoney Hill Road (see Preliminary Plan and GIS map). Street stubs or connections to the north, east, and west are not practical for the following reasons:

1. A stub to the north, parcel number 016-03A-23-024 30.32230 acres owned by Jeffrey and Linda Belock, is not practical as the property has water features and topography issues that would make access to Stoney Hill Road practical.
2. A stub to the east is not practical as the property immediately adjacent to the site, has recently been platted and developed as the Ledges of Stone Creek subdivision.
3. An additional street connection to Stoney Hill Road in the west is not practical because of water features, wetlands, and topography issues.



Zoning: The subject property is zoned 6R1 Single-Family Residential and the applicant is requesting that the site be developed as a Conservation Development; a permitted use in the district. The Hinckley Township Zoning Resolution (HTZ) Section (§) 6R1.7(A) indicates that Conservation Development standards allow for “maximizing the conservation of open space, and retaining the property owner’s ability to develop the number of residential units that are permitted under a standard subdivision.” Conservation Developments are required to meet the following requirements among others:

- The minimum area allowable is 100 acres.
- The maximum permitted density is one unit per two acres.
- Fifty percent of the site must be designated as open space.
- Common areas may be owned by a Homeowner’s Association (HOA) or authorized third party.

Per HTZ § 6R1.8, the Zoning Commission will review a General and a Final Development Plan for zoning compliance.

Comprehensive Plan: The 2015 Hinckley Township Comprehensive Plan (Plan) includes a Future Land Use Map that recommends that this area to be residential and to be developed as “density neutral” conservation development.

****Variance Request**

Discussion:

Ms. Albrecht asked if Mr. Henwood thought these were significant variances. Mr. Henwood said in both of these instances because there are very real barriers that prevent the applicant from making those connections he felt the variance requests were reasonable.

Ms. Albrecht also asked about conservation developments. Mr. Henwood explained that when significant environment features are present they allow the units to be clustered in areas that are suitable for development so that the environmental sensitive areas are avoided. Ms. Albrecht asked if other developments have that label. Mr. Henwood answered that Montville Township has essentially the same strategy with the controlled density in a number of the zoning districts.

Jeff Brandon asked if Hinckley Township had to approve these variances as well. Mr. Henwood said these variances are only for the subdivision regulations as they pertain to length of street and number of units. He mentioned a comment from the Fire Chief that the Subdivision Regulations were not consistent with the fire code, but that would be discussed later.

Mr. Copley asked if Hinckley Township adopted the...(inaudible)...fire code. Mr. Henwood said he did not know.

Mr. Stevenson asked for comments about density neutral. Mr. Henwood said the idea is if you cluster the units in areas that are capable of supporting the development, the project would not have any more units than if they developed it under the straight zoning. He said if the zoning under lying that has a 2-acre minimum, under this it is essentially dense neutral, they are more dense where they are proposing the units, but the gross density remains a (one) unit per two acres.

Travis Crane, TGC Engineering and representing John Sumodi, stated that Rob's staff report was accurate and extensive. He said that in addition to the severe terrain and wetlands that are preventing a second stub, his client did explore other opportunities with other property owners on Stony Hill Road. Mr. Crane added that there are severe site issues with another stub street on Stony Hill north of where they are going. He said in his opinion, they have exhausted all of their options.

William Spellman, Hinckley Township Zoning Commission, said the township still has to review this Preliminary Plan, but expects that to be certified sometime within the upcoming weeks and then they would schedule the site plan review. He said this is a non-traditional development within the township and they appreciate the applicant utilizing the conservation development as a way of setting aside the land. Mr. Spellman said that these developments tend to be controversial and he asked the Board to postpone the vote for the Preliminary Plan. He said in Section 608 of the zoning resolution, review and approval by the zoning commission precedes any County Organization. In his opinion, he thought it was putting the, "cart before the horse, so to speak."

Mr. Kolesar asked Mr. Henwood to address Mr. Spellman's comments. Mr. Henwood said this is the first time he has seen a zoning resolution that specifically calls out for the Planning Commission review to be delayed until the zoning commission hears it. He did not see any reason why a conditional approval would not suffice as it is conditioned on township's approval. Mr. Kolesar asked if the Board has done this before. Mr. Henwood said yes, on a regular basis. Mr. Kolesar asked who has the final word. Mr. Henwood explained that the Planning Commission actually has the authority but because we are at the Preliminary Plan stage, nothing is set in stone.

Mr. Henwood reminded Mr. Spellman that this discussion is for the variances only. Mr. Spellman said Mr. Sumodi and his team have been very cooperative. He felt they would work with the township to make this is best conservation development possible.

Mr. Stevenson said he would hate for there to be a delay to the process as the Planning Commission only meets once a month. He liked the idea of a conditional approval.

Mr. Stevenson moved to approve the staff's recommendation to grant the variance for the seven additional sublots for Skyland Preliminary Plan. Ms. Albrecht seconded the motion. All voted AYE (for staff recommendations) and the motion was approved.

Ms. Albrecht moved to approve the staff's recommendation to grant the variance for 2,918 feet, 418 feet longer than the maximum permitted cul-de-sac length of 2,500 feet, for the Skyland Preliminary Plan. Mr. Stevenson seconded the motion. All voted AYE (for staff recommendations) and the motion was approved.

****Preliminary Plan**

Discussion:

Mr. Kolesar questioned the parcel in the NE corner. Mr. Henwood said that it is a subplot, proposed as a single lot in the subdivision. Mr. Kolesar liked the idea of the township preserving their character. He asked what the future holds for the conservation area. Mr. Henwood thought it was going to be left alone, but thought it best to defer to the township.

Travis Crane, TGC Engineering, said that time is of the essence. He said they have met with the township numerous times and would appreciate at least a vote contingent on township approval. Mr. Crane realized they have at least one meeting for approval with the township. He added that they have submitted on schedule to be on the agenda for tomorrow evening but it looks like they are not on even though their application was in on time.

Mr. Spellman said concerning the open space, the intent is to put a conservation easement on it and allow it to go back to nature. He said the conservation developments are new to himself and many on the zoning commission board so they will do what they can to move things forward but he suspected this would take some time for them. Mr. Spellman invited Mr. Crane and the applicant in to discuss what that timeline might be.

Mr. Kolesar said he feels comfortable to vote on the Preliminary Plan and move it forward. He asked for a motion.

Mr. Williams moved to approve the staff's recommendation of Approval with Modifications for the Skyland Preliminary Plan. Mr. Copley seconded the motion. All members voted AYE (for staff recommendations) and the motion carried.

******Board member Ray Schulte returns, Board members Sally Albrecht and Jeff Brandon leave, as they are Montville Township trustees, 7:12 p.m.

B. Montville Township Map Amendment, 111-2017 MA

Mr. Henwood presented the staff report to the Commission for the above captioned Map amendment located on the west side of Wooster Pike (SR 3) 1,000 feet west of the road right-of-way and north of Wedgewood Drive (SR 162).

The applicant proposes to change the zoning district on the subject properties from CB Community Business to R-2 Single-family Suburban Residential. The proposal includes parts of five parcels containing approximately 168 acres. Central sewer and water facilities are available.

Current Zoning: The purpose of the CB Community Business District is to provide a district that “that encourages concentrated development areas within the Township offering personal services, community facilities, office, and retail facilities. This district is to be applied in areas where residential uses are concentrated, such as near the city of Medina. In order to limit the impact on adjacent residential development, these areas are designated for predominantly store-type uses in a shopping center environment. When feasible, planned commercial developments are also encouraged to improve the traffic circulation between developments through internal access roads, which then minimize the number of curb cuts along the street.” Montville Township Zoning Resolution Section (§) 430.1(F).

The minimum lot size is two acres with a minimum width at the building line of 200 feet. The maximum amount of impervious surface permitted on a site is 60% (§ 410.4).

Proposed Zoning: The purpose of the R-2 District is to “provide for the development of single-family residential dwellings on subdivided lots with a minimum lot size of 22,000 square feet, and controlled density planned residential developments 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.” (Montville Township Zoning Resolution Section (§) 410.1(D)(3).

Comprehensive Plan: The proposed map amendment is not consistent with the 2016 Montville Township Comprehensive Plan Update. The Proposed Land Use map, recommends the subject site for Community Business uses consistent with existing zoning district boundaries.

Discussion:

Mr. Kolesar agreed saying there are plenty of opportunities for commercial in the future. He likes stepping the use down to residential and trying to preserve the natural characteristics that meander through the property. He mentioned Grovewood Lane being narrow for a connection and how much did the developer have to stay with it if it is not feasible. Mr. Henwood understood it has been on the County Engineer’s radar for well over 20 years. Mr. Kolesar said things change, visions change, and comprehensive plans change. Mr. Henwood stated without a firm commitment from the County Engineer...but it is his understanding is that the requirement is that the road go through.

Mr. Schulte moved to approve the staff recommendation of Approval for the Montville Township Map Amendment rezoning from CB to R-2. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.

C. Montville Township Map Amendment, 112-2017 MA

Mr. Henwood presented the staff report to the Commission for the above captioned Map amendment located on the east side of Wooster Pike (SR 3) and nearest the termini of Stockbridge and New Haven Drives.

The applicant proposes to change the zoning district on the subject property from CB Community Business to R-3 Single-family Urban Residential.

Current Zoning: The purpose of the CB Community Business District is to provide a district that “that encourages concentrated development areas within the Township offering personal services, community facilities, office, and retail facilities. This district is to be applied in areas where residential uses are concentrated, such as near the city of Medina. In order to limit the impact on adjacent residential development, these areas are designated for predominantly store-type uses in a shopping center environment. When feasible, planned commercial developments are also encouraged to improve the traffic circulation between developments through internal access roads, which then minimize the number of curb cuts along the street.” Montville Township Zoning Resolution Section (§) 430.1(F).

The minimum lot size is two acres with a minimum width at the building line of 200 feet. The maximum amount of impervious surface permitted on a site is 60% (§ 410.4).

Proposed Zoning: The purpose of the R-3 District is to “provide for the development of single-family residential dwellings on subdivided lots with a minimum lot size of 22,000 square feet, and controlled density planned residential developments 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” (Montville Township Zoning Resolution Section (§) 410.1(D)(4).

The minimum lot size is 12,000 square feet with a minimum width at the building line of 80 feet (§ 410.4).

Comprehensive Plan: The proposed subdivision is not entirely consistent with the 2016 Montville Township Comprehensive Plan Update. The Proposed Land Use map, Figure 3-1, recommends the subject site for Community Business uses consistent with existing zoning district boundaries.

Discussion:

Jason Brenner, Lewis Land Professionals, said he would answer any questions and said that Rob did an excellent job.

Mr. Kolesar said it would be interesting to see what happens with all the wooded property, as he hated to see all the trees go away. Mr. Jeffers said that Montville Township does have a tree and landscaping plan and that they have to keep a certain number of trees on the property. He added that there would be a tree survey done.

Mr. Williams moved to approve the staff recommendation of Approval for the Montville Township Map Amendment rezoning from CB to R-3. Mr. Jeffers seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.

******Board Members Ms. Albrecht and Mr. Brandon returned, 7:29 p.m.

D. Lafayette Township Text Amendment, 113-2017 TA

Mr. Hirsch presented the staff report to the Commission for the above captioned Text amendment regarding the Section (§) 309.02, Golf Community PUD Overlay District.

Proposal: The Lafayette Township Zoning Commission has submitted the following proposed Zoning Text Amendments for review:

1. Amend the text of § 309.02 to increase the area of the Golf Community PUD (GCPUD) Overlay District.
2. Amend § 309.05 to increase the density from one unit per two acres to one unit per one acre.

Discussion:

Ray Schulte questioned what an Overlay District was. Ms. Hirsch answered that an Overlay is placed over what already exists.

Mr. Kolesar asked if it was a requirement that it had to be a functioning golf course or club to have the PUD zoning. Mr. Hirsch said the golf course could be part of the open space. She did not know whether it was a requirement that the golf course remain with the additional density.

Mr. Ted Lesiak, attorney for Medina Country Club, stated that they had no objections to the amendments in the code change and agreed with the staff report.

Rich Javorek, Lafayette Township zoning commission, stated that the township would have the public hearing on the first Tuesday in February.

Mr. Brandon moved to approve the staff recommendation of Approval with Modifications for the Lafayette Township Text Amendment regarding Sections 309.02, 309.05. Mr. Copley seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.

VIII. PLANNING DIRECTOR'S REPORT

Mr. Henwood welcomed Ralph Copley to the Board. He will be Buck Adam's alternate. In addition, Susan Hirsch announced that she is retiring on January 24th. Everyone wished her well.

IX. PUBLIC PARTICIPATION

There was no Public Participation.

X. OTHER BUSINESS

There was no Other Business.

XI. ADJOURNMENT

Mr. Kolesar moved to adjourn the January 3, 2018 MCPC meeting at 7:46 p.m.

Mark Kolesar, President

Cheryl Heinly, Admin Asst.