



MEDINA COUNTY PLANNING COMMISSION  
MINUTES OF MEETING  
WEDNESDAY, DECEMBER 5, 2018, 6:30 P.M.  
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE ROOM

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

Jeremy Sack, Skyland Development Co  
Mike Stopa, Medina Township  
Guy Haney, TGC Engineering  
Alliss Strogan, Medina Township

**MCPC Members and Alternates in Attendance:**

**MCPC Members:**

Paul Jeffers  
Buck Adams  
Eric Heffinger  
Ray Schulte  
Leslie Miller

**MCPC Alternates:**

Jerry Cook, (for Adam Frederick)  
Jason Stevenson, (for Bill Hutson)  
David Williams, (for Pat Geissman)  
Grant Aungst, (for Cliff Calaway)

**MCDPS Staff:**

Cheryl Heinly, Admin Assistant  
Rob Henwood, Director

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

## **I. ROLL CALL**

Mr. Heffinger, Mr. Adams, Mr. Aungst, Mr. Cook, Mr. Jeffers, Mr. Schulte, Ms. Miller, and Mr. Kusnerak were present at the time roll was called.

## **II. MINUTES**

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

*Mr. Adams moved to approve the October 3, 2018 minutes as presented. Mr. Williams seconded the motion. All voted AYE and the motion was approved.*

## **III. CORRESPONDENCE**

Mr. Henwood said there was no correspondence.

**\*\***Board member, Jason Stevenson came in, 6:33 p.m.

## **IV. CONSENT CALENDAR**

There were no items on the Consent Calendar.

## **V. OLD BUSINESS**

There was no Old Business.

## **VI. NEW BUSINESS**

**\*\***Board member Ray Schulte abstained and stepped out of the room for the next agenda item, as he is a Hinckley Township Trustee and will be voting on the project at the township, 6:34 p.m.

### **A. Trails at Redwood Falls, Phase 1, 069-2018 FP, Final Plat, Hinckley Township**

Mr. Henwood presented the staff report for 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 25.5151-acre site:

- 41 sublots.
- 25.5151 acres of Open Space (Blocks A through D)
- Central water and sanitary sewer
- Three public streets with 60 foot right-of-ways (ROW) and associated general utility and water easements:
  - Skyland Falls Boulevard stubs to the north.
  - Lanterman Circle terminates in a permanent cul-de-sac to the east.
  - Hayden Drive stubs to the west.

- Two stormwater management easements
- Seven storm sewer easements.

**History:** The Medina County Planning Commission (MCPC) approved the Preliminary Plan in January of 2018; two variances from Subdivision Regulation Section 604(B)(9) for exceeding both the maximum length of a cul-de-sac and maximum number of units on a cul-de-sac street were also approved at the same meeting. A Concept Plan was reviewed in October of 2017.

**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.
- 50 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.

**Discussion:**

Jeremy Sack, TGC Engineering, stated that they plan to conform to all the comments.

Mr. Jeffers said that Hinckley Township’s zoning is a minimum 100 acres and 50% open space. He asked if there was a variance granted for the maximum size required. Mr. Sack said yes and the code was rewritten shortly thereafter.

*Mr. Jeffers moved to approve the staff recommendations of Approval with Modifications for Trails at Redwood Falls, Phase 1, Final Plat. Mr. Stevenson seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**\*\*Mr. Schulte, Board Member and Hinckley Trustee returned to the board, 6:41 p.m.**

**B. Preserve at Trillium Creek, Phase 1, 096-2018 FP, Final Plat, Montville Township**

Mr. Henwood said the applicant would like to table the above captioned subdivision until the January 2, 2019 Planning Commission meeting as stated on their submitted letter.

*Mr. Jeffers moved to approve the applicant’s request to table the Preserve at Trillium Creek, Phase 1, Final Plat until the January 2, 2019 Planning Commission meeting. Ms. Miller seconded the motion. All voted AYE (to approve applicant’s request) and the motion was approved.*

### **C. Medina Township Text Amendment, 094-2018 TA,**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment regarding Section 403.4 Urban Residential District, Rear Yard Depth Section 403.4 Planned Developments, and Accessory Building Rear Yard Setback.

#### **Discussion:**

Alliss Strogin, Medina Township Zoning Commission, said she was not sure how some information was missing from the request that was sent to the planning staff. She said when she spoke to Rob the renumbering of all the sections she thought was important but apparently he did not and left them out. She said, "He humored me and put them back in."

Ms. Strogin said Mr. Henwood sent her a copy of what was sent to the planning office for review and apparently, the township secretary left out a sentence or two. She said changes to 403.4D was to the old Forestview estates, an old R-2 that was created in the late 70s and is no longer allowable in the zoning, but is still there.

Ms. Strogin said the new 403.4D should have said minimum accessory use rear yard setback, 10 feet. Because they needed to reference the old R-2, "A" was supposed to be under the, "setback provision also applies to R-2, Forestview Estates subdivision." She felt that was an error that the township could correct at a public hearing.

Ms. Strogin said she knows they are required by law to come to the Planning Commission, but not required by law to follow, but they will. She said they would have the correct verbiage added to the resolution.

Mr. Henwood said the Zoning Commission could provide a correction when they present this to the Trustees. He did not see a problem.

*Mr. Adams moved to approve the staff recommendations of Approval for the Medina Township Text Amendment, Section 403.4. Mr. Jeffers seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

### **D. Medina Township Map Amendment, 095-2018 MA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment rezoning BL-Light Business to GB-General Business along Pearl Road (SR 42) approximately 500 feet east and west of the street centerline between Hamilton Road, on the south, and the township boundary, on the north.

**Current Zoning:** The purpose of the BL Limited Business District is to "provide for those commercial land uses which can be compatible in a predominately residential area with or without central sewer and water service. The range of commercial uses permitted in the District and the limitations on the scale of uses are designed to prevent a commercial strip." (Medina Township Zoning Resolution Section (§) 404.1).

**Proposed Zoning:** The purpose of the BG General Business District is to "provide for a variety of office, retail and service activities in areas with central sewer and water service. Uses permitted in this District are those compatible with a shopping center or with other typical uses in a suburban

shopping area. BG Districts are intended to be compatible and harmonious with adjacent residential uses and to minimize disruptions to traffic flow on major arterial highways.” § 405.1

**Discussion:**

Alliss Strogin, Medina Township Zoning Commission, said that some of Mr. Henwood’s suggestions were already in the zoning. She said this developer would have to deal with all the land challenges that any other developer would have to deal with. She said that every site plan has those types of issues.

Ms. Strogin said the rear and side setbacks in the commercial are already “beefed up” when it comes to putting in a business in an existing residence. She said they do not allow residences in the B-G. She added that this does allow more opportunities for people.

Ms. Strogin stated that over time they have been getting requests for restaurants and such. She said they decided to change the B-L to B-G (districts), which gives more flexibility. She said that in the past year they have turned down four or five requests as they wanted to build in the B-L (district) and they were not allowed. She said now the township can accommodate more small business uses. Ms. Strogin did not anticipate any big box stores going in there because the depth is limited.

Ms. Strogin addressed the land to the north of the cemetery saying the person who bought it did not like the uses, but was told to “hang in there.”

Mr. Schulte asked Ms. Strogin regarding what a drive through is. Ms. Strogin answered that it would be like McDonalds or a Burger King. She said the restaurants that would be going in would be sit-downs.

Mr. Jeffers asked if there was residential in that area. Ms. Strogin said yes, there are some homes. Mr. Jeffers said they would then be legal non-conforming. Ms. Strogin said yes, they would be preexisting non-conforming. Mr. Jeffers asked if the homeowner would be able to sell their parcel as residential or would they have to sell as commercial. Ms. Strogin answered as long as it stays in a residential use without being vacated for more than two years, then yes, they can sell as residential. She added they could continue on using it as a residential use as well. She said if they abandon it and let it sit for three to five years then it reverts to the commercial. Ms. Strogin said if there is a fire or if the structure is knocked down and is rebuilt within two years, they can keep the use.

Mr. Jeffers wanted to make sure the residents that are there now would not be forced out. Ms. Strogin said absolutely not, they would not.

Mr. Jeffers thought the expansion of the uses for commercial was fantastic because water and sewer is available now. Ms. Strogin agreed saying now there is an opportunity.

Mr. Aungst asked about setbacks with the multi-family. Ms. Strogin answered that BG and BL do not have multi-family. She said the only place that has multi-family is BI and those lots are much deeper. Mr. Aungst asked if any of the community members or businesses in the area voiced any concerns to the township regarding the change. Ms. Strogin said no. No concerns were voiced to the planning office.

Mr. Aungst also asked about houses being abandoned and potentially rebuilt, if there was an issue and if the township was prepared to issue a letter for that fact that people need to retain a mortgage. Ms. Strogin said they do not have to be as it is already in the zoning, preexisting non-conforming zoning clearly states that it can be rebuilt within the two-year period.

*Mr. Jeffers moved to approve the staff recommendations of Approval for the Medina Township Map Amendment BL-Light Business to GB-General Business. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

#### **E. Wadsworth Township Text Amendment, 093-2018 TA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment regarding revision “H,” miscellaneous changes.

#### **Discussion:**

There was no discussion.

*Mr. Williams moved to approve the staff recommendations of Approval for the Wadsworth Township Text Amendment. Ms. Miller seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

#### **F. Granger Township Map Amendment, 098-2018 MA**

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment rezoning R-1 Residential to C-2 General Commercial, 10.19 acres, located on the north side of Medina Road (SR 18) approximately 1,400 feet west of the intersection with Medina Line Road.

**Proposal:** The Zoning Commission forwarded the following application, which proposes to change the zoning district on approximately 10.19 acres of the subject property, 241 Medina Road, from C-1 Local Commercial to C-2 General Commercial.

**Current Zoning:** The purpose of the R-1 Local Residential District is to “to manage low-density residential development that will preserve the rural residential character of Granger Township” (Granger Township Zoning Resolution Section (§) 301(B)).

**Proposed Zoning:** The purpose of the C-2 General Commercial District is to;  
... provide an environment for a wide range of business enterprises and promote a mix of commercial uses that provide goods and services for both the Township and surrounding areas. The district is intended to be serviced by public water and sanitary sewer and located along arterial highways § 304(A).

#### **Discussion:**

Ms. Leslie Miller asked why Granger Township did not have a Comprehensive Plan. Mr. Henwood explained that they are the only township in Medina County that does not have a Comprehensive Plan. He said they were the subject of a lawsuit that went to the Ohio Supreme Court and the Ohio Supreme Court affirmed that a township, as long as their zoning is applied in a comprehensive manner, they do not have to have a separate Comprehensive Plan. He added that the zoning would suffice for purposes of a plan (and that they won the lawsuit).

*Mr. Adams moved to approve the staff recommendations of Approval for the Granger Township Map Amendment, R-1 Residential to C-2 General Commercial. Mr. Williams seconded the motion. All voted AYE (to approve staff recommendations) and the motion was approved.*

**VII. PLANNING DIRECTOR’S REPORT**

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

**VIII. PUBLIC PARTICIPATION**

There was no Public Participation.

**IX. OTHER BUSINESS**

Mr. Henwood and Ms. Heinly asked for any Board members interested in the Floodplain Appeals Board. Mr. Jeffers and Mr. Brandon agreed to stay on the board. David Williams will be the third member as Mark Kolesar moved to Florida. Ms. Heinly will stay on as secretary.

**X. ADJOURNMENT**

*Mr. Cook asked for a motion to adjourn the December 3, 2018 MCPC meeting at 7:20 p.m. Mr. Jeffers moved to adjourn the December 3, 2018 MCPC meeting. Ms. Miller seconded the motion. All voted AYE and the motion was approved.*

To be signed by Jeff Brandon  
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Jerry Cook, 2<sup>nd</sup> Vice President

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Cheryl Heinly, Admin Asst.