



MEDINA COUNTY PLANNING COMMISSION  
MINUTES OF MEETING  
WEDNESDAY, DECEMBER 4, 2019, 6:30 P.M.  
PROFESSIONAL BUILDING, LOWER LEVEL CONFERENCE  
ROOM

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

Patricia Wetterman, self  
Nils Johnson, Cunningham & Associates  
Thom Sutcliffe, Drees Homes  
Kevin Hylbert, Granger Fire Dept  
Shane Berger, Granger Fire Dept  
Andy Conrad, County Engineer

**MCPC Members and Alternates in Attendance:**

**MCPC Members:**

Buck Adams  
Sally Albrecht  
Jeff Brandon  
Cliff Calaway  
Eric Heffinger  
Paul Jeffers  
Ray Schulte

**MCPC Alternates:**

David Williams, (for Pat Geismann)

**MCDPS Staff:**

Cheryl Heinly, Admin Assistant  
Sonja Pagniano, Associate Planner

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

## **I. ROLL CALL**

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

## **II. MINUTES**

Mr. Brandon asked if there were any questions or comments on the November 6, 2019 minutes. There was none.

*Mr. Jeffers moved to approve the November 6, 2019 minutes as presented. Mr. Heffinger seconded the motion. All members voted AYE and the motion was approved.*

## **III. CORRESPONDENCE**

Ms. Pagniano discussed an email received from Ron Emhoff regarding Brambleside Commons subdivision. She told the Board she called Mr. Emhoff and discussed his concerns regarding the subdivision.

## **IV. CONSENT CALENDAR**

There were no items on the Consent Calendar.

## **V. OLD BUSINESS**

There were no items on Old Business.

## **VI. NEW BUSINESS**

### **A. Brambleside Commons, 097-2019 V-PP, Variance Request and Preliminary Plan, Brunswick Hills Township**

Ms. Pagniano presented the staff report to the Commission regarding the above captioned subdivision located west of Substation Road, east of Marks Road, north of Emerald Lane, and south of Cheyney Lane and Cessna Avenue.

**Proposal:** The applicant proposes the following on the 41.52-acre site:

- 39 sublots
- 7.82 (27.5%) acres of open space contained in three blocks
- Central water and sewer
- Three storm water management ponds
- Extend two public streets with 60-foot right-of-ways (ROW) that terminate in permanent cul-de-sacs; Brambleside Drive and Pamela Lane  
Creation of Street A, with terminus in Brambleside Drive Cul-De-Sac and its own Cul-De-Sac

**Zoning:** The subject property is zoned R-1 Residential. The Brunswick Hills Township Zoning Resolution indicates that the purpose of the R-1 district is to;

- The district is established to accommodate detached single-family residences at low densities in areas suitable for suburban style development.... Section (§) 403-1
- The stipulated densities and development controls are intended to provide for the creation of areas with an appropriate suburban character while carefully controlling the associated impacts of development on both the environment and the community. § 403-1

**Comprehensive Plan:** The proposed subdivision is consistent with the current comprehensive plan. The Preferred Land Use Map, contained in the 2005 Comprehensive Plan, shows the site as Large Lot Residential, which recommends the subject site for large lot, single-family residential development. “Minimum lot sizes of approximately two acres may be appropriate, as determined by Zoning Code and Zoning Commission.”

The recommendations in Chapter 6 Preferred Land Use Plan indicate that;  
... *Large-lot subdivision development should be encouraged as a tool to:*

- *Ensure adequate roadways and infrastructure;*
- *Provide opportunities for moderate clustering to preserve open space that is ensured to be maintained in a natural character; and*
- *Establish home ownership organizations that can require preservation of private lots in a natural character.”*

**Staff Comment:** This report presents a variance request and Preliminary Plan. The Medina County Planning Commission (MCPC) must make separate votes.

Medina County Subdivision Regulations, Article VI, Planning Principles and Design Standards Section C, Access Standards states, “No single access subdivision shall contain more than fifty (50) dwelling units. The provision of opportunities for roads to access adjacent, undeveloped properties and emergency only access points will not be considered a secondary means of access. Larger subdivisions may be required by the Commission to have a proportionately greater number of such access points to ensure adequate and reasonable ingress, egress, and emergency access.” (p. 58). ***The applicant has submitted a variance for the approximately 64 total lots that will exist in a single access subdivision with the lots proposed on Street A, connecting to Brambleside Drive. If you include Sugarbrush Circle there are 75. These lots will all utilize the same access to exit the subdivision onto the main thoroughfare. The Commission should be made aware that there are approximately 43 lots with a single access when Pamela Lane is extended to create the seven lots.***

**Discussion (for Variance):**

Sally Albrecht thought the philosophy regarding traffic was more contingent on having two access points for an emergency. She explained meaning splitting the number of homes for access from another method. Ms. Pagniano answered that from the top of the subdivision if something happened and homeowners needed to get out or leave for work it would be difficult. Ms. Albrecht said that would be her reservation.

Tom Sutcliffe, Drees Homes, stated the large amount of wetlands (40-50 %) covers a vast majority of the property. He said they could have put more lots in that area, could have taken the large parcel adjacent to the wetlands, and parceled that into smaller lots but they kept the number of lots to a manageable amount. Mr. Sutcliffe said he met numerous times with the township zoning administrator who worked with him to reduce the number of lots to what is before the Board.

Mr. Sutcliffe felt this is a “great marriage” between developing a parcel that was always intended to be developed by master plan and past administration for the stub streets while minimizing the impact to the environment. He commented that there are riparian issues that were respected and not disturbed.

Mr. Sutcliffe felt one of the biggest challenges that he gets is the “not in my back yard, there is too much traffic.”

Andy Conrad, Highway Engineer, said through the years with County Planning the 50-lot rule was geared more towards emergency services than traffic patterns. He thought some of the examples cited, such as, if this site were multi entry in case there was a culvert that was going to be out for any length of time, another means that all the people could get in and out. Mr. Conrad stated that if there were a culvert along the main drag they would be looking at potentially 70 people that would not be able to get out. He pointed out the reference to Meadows of Southpointe and when the emergency access was allowed to be used as a second access point. He added that it is not well maintained but it is there.

Patricia Wetterman, 1085 Substation Road, commented that any more traffic on Substation Road would create more problems. She felt approving a variance and allowing more homes without another exit is creating more issues. Ms. Albrecht questioned if Ms. Wetterman was referring to the “problems” she meant traffic problems. Ms. Wetterman answered yes. She added that on the corner below the subdivision is a fire and police station. She felt that needed to be taken into consideration as well.

Tom Sutcliffe stated that they did a study and if you draw a circle so it encompasses the subdivision the fire station is in the middle. He did the same thing with the second fire station, which is further down on Pearl Road, just south of Laurel Glen and drew the same circle. Mr. Sutcliffe informed them that 80% of the community lives further from the fire stations.

Mr. Sutcliffe respected Mr. Conrad’s comments regarding the culverts. He said there are no culverts and no other infrastructures other than... *inaudible*. Mr. Sutcliffe added that the water and sewer lines are designed to traverse to follow the edges of the streets. He said they are taking the sewer on Emerald...*inaudible*... then parallel the street versus cross the street so if they need to get to the sewer they would not be crossing the street.

Mr. Brandon asked if there was any more discussion. Since there was not, Mr. Brandon asked for a motion.

*Mr. Adams moved to approve the staff recommendations of Approval for the Brambleside Commons Variance Request due to the physical constraints on the property. Mr. Jeffers seconded the motion. All other members voted AYE and the motion was approved.*

**Discussion (for Preliminary Plan):**

Tom Sutcliffe said he submitted the HOA documents in Word format to the Prosecutor's office. He said they have already submitted the national letter of intent and the permit to the County. He responded to Sonja's question regarding the open space saying lot 39 has access to the open space so that would make one less lot. Mr. Sutcliffe said the large parcel would be one owner, which Drees is building a home for him. He said all the land to the right is going to remain the "West Creek Conservancy" and under the original ownership of the property so it would never be open for development.

Andy Conrad questioned if subplot was not going to be built on why call it a subplot. Mr. Sutcliffe said that was a good question and he would ask his engineer. He asked Mr. Conrad what he suggested. Mr. Conrad said it should become a block. He added that the viability of where that sits is marginal.

Mr. Brandon asked if there were any other questions or comments, there were none. He asked for a motion.

*Ms. Albrecht moved to approve the staff recommendations of Approval with Modifications for the Brambleside Commons Preliminary Plan. Mr. Schulte seconded the motion. All other members voted AYE and the motion was approved.*

**B. Menards Subdivision, 098-2019 PP, Preliminary Plan, Granger Township**

Ms. Pagniano presented the staff report to the Commission regarding the above captioned subdivision located at the northwest corner of Medina and Medina Line Road (SR 18).

**Proposal:** The applicant proposes the following on the site:

- 2 Phases with temporary cul-de-sacs and reservation strips, 13 commercial sublots
- 4 existing wetlands to be filled.
- One existing pond to the West in the Open Space Block "A."
- One Open Space block containing 35.61 acres
- One stub street with possible future connection to Pinnacle Sports Complex to the North
- Three private streets and associated utility easements:
  - Street "A" contained in an access easement with width that varies between 70 and 85 feet and includes a single-lane roundabout.
  - Street "B" contained in a 70-foot wide access easement.
  - Street "C" contained in a 70-foot wide access easement.
- Three stormwater retention ponds & 2 proposed mounding; in the Open Space Block "A" to the West.
- 2 Possible Common Signage Locations on Medina Road, State Route 18.
- One proposed signalized intersection.
- 400 proposed parking spaces for the Menards on Sublot 1.

**Zoning:** The subject property is in an area designated for PDD Planned Development District overlay (see GIS map and Zoning District detail above) per Granger Township Zoning Resolution § 307. The PDD that includes the subject site has frontage on SR 18 with a depth of approximately 2,290 feet and covers the area from the eastern property boundary of the Pinnacle Sports property to Medina Line Road. The purpose statement for

the PDD indicates the district is intended to encourage the development of campus style commercial, office, and industrial areas located within one of the PDD areas. Property owners must request that PDD regulations be applied to specific property in a PDD area, which is at least 50 acres and must be served by central sewer and water. Until the PDD regulations are requested, the underlying zoning remains applicable.

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)). Permitted uses include single-family and two-family dwellings (§ 301(B)(1)) on two acre lots with a minimum width at the building line of 175 feet (§ 301(C)(1)).

§ 203(D) states that “[n]o commercial or industrial access may be maintained across R-1 or R-2 zoning.”

**Comprehensive Plan:** Granger Township does not have a Comprehensive Plan. The township utilizes its Zoning Map in lieu of a Comprehensive Plan. As such, there is no recommended land use for the subject site other than the current zoning.

**Discussion:**

Thomas O’Neil, Menard Inc., realized there were access issues and they are working with ODOT to resolve. He said that if there were any engineering questions Nils from Cunningham and Associates is available to address these. Mr. O’Neil said they have been going back and forth with ODOT in perspective to the access on SR 18. He said they have been proposing all along to have two access points in the depiction on the Preliminary Plan. He said based on the reviews they are receiving they are going to have to flip flop the proposed access points.

Mr. O’Neil informed the Board that the full turning movement access would now take the western most position whereas the right in, right out is proposed for the eastern most position. He stated that in order to meet the ODOT requirements for the half mile from signal to signal there are certain differentiation between what is considered a rural cross section and what is considered an urban cross section. He explained that with an urban cross section there has to be a minimum of a quarter of a mile and he thought they had a good argument that they were close enough in to the city limits with the amount of traffic on Medina Road. Mr. O’Neil felt that they had a justification for a quarter of a mile distance, but ODOT is going to stick firm to the half-mile distance. He explained that the full turning movement is being moved to the west so the cross section of that road as it “daylights” onto SR 18 and will mimic what is the cross section that is at the easterly most access point today.

Mr. O’Neil stated that they are going to propose the right in/right out at the easterly of the two access points. He said from a plat perspective little or nothing changes, it is just the access points. He added that they are not proposing to move the cul-de-sac, the lots, or change the layout. Mr. O’Neil informed the Board they are moving the access point with full turning movement, signalized access point, to the access that is immediately west of the proposed Menard’s store.

Mr. O'Neil let the Board know that the traffic study is being revised for resubmittal to the District office along with the variance applications noted for Jared Feller (ODOT).

Mr. Jeffers questioned if sublots four through seven would all shift a little east and then widen street B to have the turn lanes with an intersection and signals. Mr. O'Neil said that was correct. Ms. Albrecht asked if that has been approved completely. Mr. O'Neil answered no. He went on to say they have to approve the revised traffic study and then through an independent inter-agency process approve the variance requests due to the multiple access points on the SR 18. Mr. O'Neil felt from an ODOT perspective they would prefer they (Menards) take access to Medina Line Road for a litany of Township reasons they cannot do that. He added they have to go through the variance process.

Mr. Schulte questioned how deep residential was into... *inaudible*. Mr. O'Neil referenced another map. Mr. Schulte asked if that was a concern with some of the original plans with the residents to the north. Mr. O'Neil answered sure, from a land use planning perspective they had comments from two different subdivision groups, one to the northwest, along Brunelle, and the other well to the north, Waterside. He stated that the ones they are trying to address to the northwest was more from a screening, buffering, and impact of the development perspective. With a series of berms and natural open space, power lines, ponds and additional berms, they are trying to mitigate those impacts.

Mr. O'Neil said to the north they are somewhat caught by pre-existing conditions, concerning flooding, that the development could exacerbate those issues. He felt certain with Cunningham and Associates meeting stormwater requirements that the ponds are oversized enough not only that they would meet pre development rates, but also be able to discharge at a rate that is below pre development.

Mr. Schulte questioned more retail versus how many parking spots were for Menards. Mr. O'Neil answered that is just for the proposed Menards store. He said this is a PDD within the Township so this would be a waiver of their standards, so to speak. Based on the existing code with the Township the size of the store would really require them to have 800-900 parking spaces but he said based on their historical needs that they would only require a benchmark of 400 spaces as part of the PDD approval process.

Mr. Brandon asked if there were any other comments or questions. Since there were none he asked for a motion.

*Mr. Jeffers moved to approve the staff recommendations of Approval with Modifications for the Menards Preliminary Plan. Mr. Williams seconded the motion. All other members voted AYE and the motion was approved.*

### **C. Harrisville Township Text Amendment, 099-2019 TA**

Ms. Pagniano presented the staff report to the Commission regarding the above captioned text amendment to update Section 410 B-4; Article 601-4.

**Proposal:** ADD to Section 410(B)(4), ADD to Section 601-1 Sign Regulations.

**Discussion:**

Mr. Jeffers commented that he spoke to the zoning inspector in Harrisville and he agreed that the problem with home occupations is one of those things that most townships do not look at in depth. He said the ability to enforce somebody working out of an accessory building when they do not live in the house and rent it out or they are trying to use it as a home occupation, has many issues. Mr. Jeffers said this is a tough one to enforce as you have to catch them doing it and you have to prove that it is an occupation, not done out of the house and whether or not they live there. He said anybody who is willing to take a bite on trying to enforce that he thought it was a great idea.

Mr. Brandon asked if there were any other questions or comments. Since there were none, he asked for a motion.

*Mr. Jeffers moved to approve the staff recommendations of Approval with Modifications for the Harrisville Township Text Amendment, add to Section 410(B)(4), ADD to Section 601-1 Sign Regulations. Mr. Effinger seconded the motion. All members voted AYE and the motion was approved.*

**VII. PLANNING DIRECTOR’S REPORT**

There was no Planning Director’s Report.

**VIII. PUBLIC PARTICIPATION**

There was no Public Participation.

**IX. OTHER BUSINESS**

Ms. Heinly reminded the Board at the January meeting that they vote for the officers, President, Vice President, and Second Vice President.

**X. ADJOURNMENT**

Mr. Brandon adjourned the December 4, 2019 MCPC meeting at 7:37 p.m.

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Jeff Brandon, President

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Cheryl Heinly, Admin Asst.