MEDINA COUNTY PLANNING COMMISSION
MINUTES OF MEETING
WEDNESDAY, NOVEMBER 4, 2020, 6:30 P.M.
PROFESSIONAL BUILDING, LOWER LEVEL
CONFERENCE ROOM

Attendees / Representing in Person (from sign-in sheet):
Jason Brenner, Lewis Land Professionals, in person
Mike Burianek, Modern Land Development, in person
Alliss Strogin, Medina Township, in person
Guy Roach, York Township, in person
Nils Johnson, Cunningham and Associates, via Zoom

MCPC Members and Alternates in Attendance:

MCPC Members:
Sally Albrecht, via Zoom
Jeff Brandon, in person
Cliff Calaway, via Zoom
Chris Day, via Zoom
Eric Heffinger, via Zoom
Leslie Miller, via Zoom

MCPC Alternates:
David Williams, (for Pat Geismann), in person
Cliff Nowak, (for Colleen Swedyk), in person
Tom James, (for Bill Hutson), via Zoom

MCDPS Staff:
Cheryl Heinly, Admin Assistant, in person
Rob Henwood, Senior Planner, in person
Denise Testa, Director, in person

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. Calaway, Mr. Day, Mr. Heffinger, Mr. James, Ms. Miller, Mr. Williams, and Mr. Nowak were present at the time roll was called (either via zoom or in person).

II. MINUTES

Mr. Brandon asked if there were any questions or comments on the October 7, 2020 minutes. There was none.

Mr. Nowak moved to approve the October 7, 2020 minutes as presented. Ms. Miller seconded the motion. All members voted AYE and the motion was approved.

III. CORRESPONDENCE

There was no Correspondence.

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. **Hidden Lake Estates,** 099-2020 FP, Final Plat, Medina Township

Mr. Henwood presented the staff report to the Commission regarding the above captioned subdivision located on the east side of Watkins Road north of Fenn Road. The proposed Preliminary Plan includes the undeveloped balance of the subdivision. The proposed subdivision will create six sublots served by central water and sewer on a permanent cul-de-sac. There are no changes proposed to the previously approved Preliminary Plan. Phase 3 will complete the subdivision. The staff is recommending approval with modifications.

Proposal: The proposed Final Plat, Phase 3 includes the following:

- Six sublots
- Extension of Hidden Lake Drive (60-foot right-of-way and associated utility easements) which terminates in a permanent cul-de-sac.
- Central sanitary sewer and water.

History: The Preliminary Plan was originally approved by the Medina County Planning Commission (MCPC) in August of 2000. The Preliminary Plan was most recently revised in May of 2020 and the Phase 2 Final Plat was approved in November of 2019.

Site Conditions: The western portion of the subdivision fronting Watkins Road has rolling terrain. The West Branch of the Rocky River borders the eastern portion of the property and there are severe slopes along the entire eastern border. The FEMA 100-year floodplain crosses Sublots 25 and 26.

Discussion:

Nils Johnson, Cunningham and Associates, stated that he agreed with the staff comments and would answer any questions.

Alliss Strogin, Medina Township Zoning Commission, said that the township is grateful the subdivision is being done.

Mr. Brandon asked if there were any other comments or questions, there were none.

Mr. James moved to approve the staff recommendations of Approval with Modifications for the Hidden Lakes Estates Subdivision, Phase 3, Final Plat. Ms. Albrecht seconded the motion. All members voted AYE (to approve staff recommendations) and the motion was approved.

B. **Sharon Township Map Amendment,** 100-2020 MA

Mr. Henwood presented the staff report to the Commission regarding the above captioned amendment located on the west side of Ridge Road (SR 94) north of Fixler Road and south of the Wheeling and Lake Erie Railway. The applicant proposes to amend the zoning on the site from R-1 Residential and I-1 Industrial to R-2 Residential. The site is serviceable by central water and sewer. The staff is recommending disapproval.

Proposal: The applicant proposes to change the zoning districts on the 47.82 acres subject parcel from R-1 Residential and I-1 Industrial to R-2 Residential.

Comprehensive Plan: According to the 2009 Sharon Township Comprehensive Plan, the minimum two-acre lot size "provides for rural residential development at a low density which will promote the continuation of the predominantly rural character of Sharon Township." The following goals and objectives from the Comprehensive Plan are relevant to the subject site:

- Preserve the "rural residential" small-town atmosphere of Sharon Township.
- Maintain the Township's low-density residential development.
- Maintain minimum lot width requirements in residential areas.

Maintain a minimum lot size of at least two acres irrespective of the availability of centralized sewer and water.

Current Zoning: According to the Sharon Township Zoning Resolution the following are permitted uses in the R-1 Residential District per Section (§) 501(A):

- Single-family dwellings
- Accessory elderly dwelling unit
- Home occupation
- Agriculture
- Roadside
- Accessory buildings
- Signs

Conditionally permitted uses include the following § 501(A):

- Tourist homes, rooming houses, and boarding homes
- Churches
- Back Lot Development
- Educational (kindergarten through grade 12 only) or public uses
- Recreational use areas: golf, boating, swimming, picnic areas, civic or country clubs

The minimum lot size is two acres with 200 feet of frontage and 200 feet wide at the building line. Parcels on cul-de-sac streets must have 60 feet of frontage and a minimum width of 200 feet measured at the building line.

According to the Sharon Township Zoning Resolution the following are conditionally permitted uses in the I-1 Industrial District per § 505-1(A): "… those manufacturing, processing, research and other industrial activities which have no detectable smoke, noise, light, heat, odor or other emissions outside the I-1 District. This standard shall not be interpreted so that no emissions whatsoever are permitted; rather that such emission shall be limited to a level comparable to residential or commercial use."

The minimum sized lots are 20,000 square feet (§ 505-2(A)) with a minimum lot width of 100 feet and minimum depth of 200 feet. The minimum building setback line is 100 feet.

Proposed Zoning: According to the Sharon Township Zoning Resolution the following are permitted uses in the R-2 Residential District per § 502(A):

- Single-family dwellings
- Two-family dwellings
- Home occupations
- Agriculture
- Roadside stands
- Accessory buildings
- Signs

Conditionally permitted uses include the following § 502(C)

- Tourist homes, rooming houses, and boarding homes
- Churches
- Hospitals or Rest Homes
- Educational (kindergarten through grade 12 only) or public uses
- Recreational use areas: golf, boating, swimming, picnic areas, civic or country clubs

The minimum sized lots are three-quarter acres (§ 502-2) with a minimum lot width of 100 feet at the setback line (70 feet). Parcels on cul-de-sac streets must have 60 feet of frontage and a minimum width of 100 feet measured at the building line.

Discussion:

Ms. Miller questioned what a "tourist house" would be. Mr. Henwood answered that most likely it is a bed and breakfast, but it was not very clear. Mr. James stated that "tourist houses" are the same as the "bed and breakfasts" of today.

Jason Brenner, Lewis Land Professionals, stated that while he recognizes what Mr. Henwood is saying regarding the comprehensive plan but wanted to note a couple things for the Board's consideration. He said going through the comprehensive plan it noted that it is a plan that could change, diminish or increase items of importance throughout the life of the comprehensive plan. He added it should be looked at regularly and updated on either a three-or five-year period as needed.

Mr. Brenner said what he and his client are seeing is a high desirability to want to live in Sharon Township that they might consider smaller lots where appropriate which allows a higher density which in turn slows down the taking of the agricultural land from the larger parcel.

Mr. Brenner informed them if they were to develop the parcel as R-1 district, there would roughly be 21 lots. He stated if this were to be rezoned as a R-2 district then they could increase the lot count to 57, which might seem to be a considerable amount but subtracting the difference it is 36 more lots at 2-acre minimum which equals 72-acres plus road right-of-way. He added it would take an additional 80-acre farm away from the township to be developed.

Mr. Brenner said developing it as R-2 they are developing 47-48 acres equally trying to do it as R-1 it would be impacting 128 acres of Sharon Township. He said this portion of the parcel was the old golf course and is not being used as the golf course is no longer there. Looking at the map that Mr. Brenner had Mr. Henwood put on the screen, with the dark yellow and the horizontal lines, that is the current R-2 zoning districts. They are asking for the small piece south of the square where they would be a buffer from the R-1 properties to the south fronting on Fixler Road.

The comprehensive plan does state that central water and sewer components should not be considered, meaning wanting to keep it rural, however the water and sewer are presently are available at SR 94 (Ridge Road). Mr. Brenner said any development of this property would require the water and sewer to be expended into the development.

Mr. Brandon asked if this was the whole golf course or was it larger. Mr. Brenner answered that the golf course was larger. He said this is just the large remnant piece which would be 47 acres.

Ms. Miller questioned the last time the comprehensive plan was looked at. Mr. Brenner answered that Mr. Henwood mentioned 2009 and he got a copy from the township that was dated 2017. Mr. Brenner said he has not seen the 2009 copy so he did not know what the differences would be between the two.

Mr. James asked what the township's position was on this amendment. Mr. Brenner said this was presented to the township which they are in the second phase of getting the map amendment through the process. He explained that they applied to the township and they in turn applied to the Planning Services Department to put on the Planning Commission's agenda. Mr. Brenner said the township would then be waiting for the Planning Commission's recommendation would be before they would voice their opinion.

Mr. James stated for a point of order when this has come before the Planning Commission why would the township not express an opinion before the Planning Commission rules (makes a recommendation) and if there was any historical information regarding that. Mr. Brenner began saying the ORC states how zoning changes could occur. His understanding was they could be initiated by the township or a landowner and then the township sends to the County Planning for recommendation (to the Planning Commission board). He said once the township gets the board's recommendation they can proceed to the trustees.

Mike Burianek, applicant and builder, said he has built several projects in Sharon Township. He said they are struggling to find lots to build on so he needed to find lots for his company. He informed them that the zoning requirements stated that they want to see 100-foot wide lots with three quarter acres. What he is proposing would be 110-120 feet wide at the road right-of-way and would be roughly one acre.

Mr. Burianek felt they are not trying to cram every bit of square foot into the footprint and still maintain the greenspace. He said the landowner is looking to sell and they have looked at this in several ways. If they had to go with two acre lots with city sewer and water, they would be looking at lot prices starting at $240,000-$245,000 and he would not put himself in that position; he added it would not work financially.

Mr. Burianek said he was not willing to take that kind of risk. He added that he was looking at Mr. Brenner to look more into the details regarding the zoning requirements. He also said he had spoken with Neil Jones from Sharon township several times.

Mr. Burianek stated that this would be done in two phases, with 21 lots in each phase and a total of 42 lots with 100-foot frontage.

Ms. Miller reiterated that she would like to hear from the township. Mr. Day agreed. Mr. Brandon asked if Mr. Brenner wanted to address those concerns. Mr. James felt the addressing of concerns should come from the Planning staff and not the consultant. Mr. Brandon asked for Mr. Henwood to answer.

Mr. Henwood said the ORC (Ohio Revised Code) is pretty clear. He said the process is spelled out where the township submits the application after they receive from an applicant and it is then forwarded onto the Planning Commission for comments. Mr. Henwood stated that the Planning Commission does not generally get comment from the township. He said they (the Planning Commission) are providing a recommendation to the township that gets read into the zoning commission public hearing and then they (the township) make their decision. Generally, there is not comments from the township ahead of time for a map amendment. Mr. James thanked Mr. Henwood and said that was what he was looking for.

Ms. Miller questioned if the comprehensive plan recommends two acres how could the board recommend otherwise. She added she has worked on these before. Mr. Henwood said the reason he recommended disapproval was because the comprehensive plan was clear regarding preserving the rural character and he did not feel comfortable making a recommendation that was contrary to what the comprehensive plan had said. He did say the one thing that made him feel a little concerned that Mr. Brenner mentioned was that there is a 2017 update that the Planning office does not have. He said he could not speak to what the 2017 comprehensive plan, whether this is an update or a totally new book. He added he was working from the 2009 book.

Mr. James asked if this should be tabled. Mr. Henwood said the Planning Commission has to make a decision, either a yes or no on the recommendation, there is no room for tabling with a map amendment.

Mr. Brandon asked if there were any other comments or questions. There were none.

Ms. Albrecht moved to approve the staff recommendations of Disapproval for the Sharon Township Map Amendment. Ms. Miller seconded the motion. All members voted AYE (to approve staff recommendations of disapproval) and the motion was approved.

C. **Liverpool Township Map Amendment,** 103-2020 TA

Ms. Testa presented the staff report to the Commission regarding the above captioned map amendment located east of Wilmot Road, and in between Myrtle Hill Road to the north of the parcels and Center Road to the south of the parcels. A CSX transportation line is adjacent to the east of the parcel. The applicant proposes to change the zoning district on a total of 10.127 acres from M Limited Manufacturing and Research District to RR Rural Residential. The staff is recommending approval.

Proposal: The applicant proposes to change the zoning district on three parcels totaling 10.172 acres from M Limited Manufacturing and Research District to RR Rural Residential.

Liverpool Development Policy Plan: The 2006 Liverpool Development Policy Plan recommends the following goal: To promote the rural atmosphere of the township while providing for balanced growth. In the analysis of the data in preparation of this plan and those plans from the past, the term "Rural Atmosphere" frequently occurs. The retention of "rural atmosphere" has been a major goal since the inception of the Development Plan Policy.

Current Zoning: The M Limited Manufacturing and Research District "is to provide for industrial uses, which have no objectionable effects on the surrounding area of the community. Limited manufacturing and processing, office and research activities, and wholesale business establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare and operate entirely within enclosed structures are permitted" (Liverpool Resolution Section § 301.1).

Proposed Zoning: The RR Rural Residential District "is established 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 facilities are not available it is the intention of this district to allow residential development of sufficiently low density to preclude creation of public health and safety problems which could result in the need to extend central facilities in an uneconomical fashion. Where 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. To ensure that existing and planned sewer and water facilities are most efficiently utilized, the one (1) acre per dwelling unit density will not be permitted outside the planned service areas as indicated in the Liverpool Township Development Policy Plan." (Liverpool Resolution Section § 304.1).

Discussion:

There was no one attending from the township.

Mr. Brandon asked if anyone had any other comments or questions. There were none.

Mr. James moved to approve the staff recommendations of Approval for the Liverpool Township Map Amendment. Mr. Williams seconded the motion. All members voted AYE (to approve staff recommendations) and the motion was approved.

VII. PLANNING DIRECTOR'S REPORT

Denise Testa, Planning Director, began with thanking all the board members who took the time and agreed to meet with her individually. She appreciated them taking the time out of their busy days to sit and chat with her. She thanked Rob and Cheryl again, as they are continuing to work with her and help with her onboarding as well.

Ms. Testa announced we are moving and the furniture would be here on December 9th She said we are moving into the former Coroner's office in the County Administration Building and we should be in the new office by December 13th or 14th. She added that Cheryl has done a great job of getting the office ready for that move and we anticipate moving around 30 document boxes and around eight filing cabinets. That is not the most important items that are moving, those would be Rob and Cheryl. Ms. Testa said we are excited to be moving and excited for everyone to see it once we are moved in.

Ms. Testa stated that since we last met, we have received seven minor lot splits, three Concept Plans, two Replats and a couple of text and map amendments.

Ms. Testa informed the board that approval was given by the Prosecutor's office for the revised RC-2 form so the next step is to be considered by the records commission.

She said those are the highlights the most important part being the move and making a few operational changes to the office such as a new copier and potentially working with Tax Maps being able to use their plotter which would be newer.

Ms. Testa asked if there were any questions, there were none. Ms. Miller commented that she worked at Tax Maps for 10 years and never knew that the Coroner's office was there.

VIII. PUBLIC PARTICIPATION

There was no Public Participation.

IX. OTHER BUSINESS

There was no Other Business to report.

X. ADJOURNMENT

Mr. Brandon asked for a motion to adjourn.

Mr. James moved to adjourn the November 4, 2020 MCPC meeting at 7:27 p.m.

Jeff Brandon, President

Cheryl Heinly, Admin Asst.