

Minutes of Zoning Commission

March 24, 2015

The *special* meeting of the Bainbridge Township Zoning Commission was called to order by Mr. Steve Hunder, Chairman at 7:08 P.M. Members present were: Ms. Shannon Byrne; Mr. Justin Czekaj; Mr. Howard Miller, Alternate; Mr. Charles Nichols and Mr. Stephen Yingling. Ms. Karen Endres, Zoning Inspector was present.

GUESTS: Ms. Jennifer Syx of inSITE Advisory Group
Mr. Jordan Warfield of inSITE Advisory Group

MINUTES

Mr. Yingling made a motion to approve the minutes of the February 24, 2015 meeting as written.

Mr. Czekaj seconded the motion that passed unanimously.

Mr. Czekaj made a motion to approve the minutes of the March 2, 2015 meeting as written.

Mr. Nichols seconded the motion that passed unanimously.

NEW BUSINESS

Proposed Zoning Amendment Z-2015-1

Mr. Czekaj made a motion to recess the special meeting.

Mr. Yingling seconded the motion that passed unanimously.

The special meeting was recessed at 7:15 P.M.

PUBLIC HEARING

Z-2015-1

Proposed Zoning Amendment Z-2015-1(Rezoning from CR: Commercial Recreation to Mixed Use Planned Unit Development)

Mr. Hunder, Chairman called the public hearing to order at 7:15 P.M. Members present were Ms. Shannon Byrne; Mr. Justin Czekaj; Mr. Steve Hunder; Mr. Howard Miller, Alternate; Mr. Charles Nichols and Mr. Steve Yingling.

Proposed amendment Z-2015-1 is a motion by the Zoning Commission to rezone the properties currently zoned Commercial Recreation to Mixed Use Planned Unit Development (MUP).

Mr. Hunder noted for the record that the legal advertisement for the public hearing had been duly advertised in the News Herald on March 13, 2015.

Mr. Hunder read into the record the recommendation of the Geauga County Planning Commission in a letter dated March 11, 2015 in which the planning commission recommended approval of Z-2015-1 with comments listed.

“Please be advised that the Geauga County Planning Commission, at its regular meeting held on March 10, voted to recommend approval of proposed Bainbridge Township Zoning Amendment Z-2015-1 initiated on March 2, 2015 by the Zoning Commission subject to the following comments.

1. There is an existing service agreement (dated January 23, 2001) with the city of Aurora, Bainbridge Township, and Geauga County regarding the provision of sewer and water service to the area currently zoned CR (to be rezoned to MUP). This agreement should be reviewed with the township’s legal counsel, particularly in relationship to the following:
 - Is there adequate sewer and water capacity to support the development activity envisioned in the amendment?
 - Is Aurora required to allow a tie-in for sewer and water service to the various permitted and conditional uses included in the amendment?
 - Is it clear that sewer and water service will be provided to proposed subdivisions? Proof of sewer and water improvement plan approval (including Ohio EPA) is a prerequisite to the approval of a subdivision plat per County Subdivision Regulations.
2. Has the amendment, as initiated, been reviewed by the township police and fire departments? Due to the density of development allowed, public safety issues should be thoroughly examined.
3. The development design (architectural) standards should be reasonably compatible with the city of Aurora’s.

4. Criteria related to construction standards for certain infrastructure, such as private right-of-ways for ingress/egress, alleys, and the like should be examined. Land within a condominium development, for example, is not considered a subdivision under Ohio law and will not be reviewed by the County Planning Commission. Nor will the right-of-ways within such developments be subject to review and inspection by the County Engineer's Office.
5. Certain regulations regarding cross easements for access and the like may be in conflict with County Subdivision Regulations. Further, it's unclear if ODOT access management standards are a part of the development review process.
6. The definition section contains, in some cases, regulatory language that is more appropriately located within the district regulations.
7. The entire number scheme must be revised to be in harmony with the existing zoning resolution.

Pursuant to R.C. Section 519.12, the County Planning Commission's recommendation must be considered at the public hearing held by the Zoning Commission on the subject amendment. Subsequent to the hearing, the recommendation must be forwarded to the Board of Township Trustees for review. If the amendment is ultimately adopted, copies thereof must be submitted to the County Recorder and to the County Planning commission within five working days after its effective date.

If there are any questions kindly contact the undersigned.

David C. Dietrich, AICP
Planning Director"

Mr. Hunder explained the proposed amendment. He stated that there is a Power Point presentation that was also used at the Planning Commission meeting and was given by himself and Ms. Jennifer Syx, consultant, of inSite Advisory Group, who has been helping the Zoning Commission with editing the document and getting it in the proper form and providing her expertise on local zoning and economic development. The presentation will give everyone a high-level view of what the amendment is all about.

Secretary's Note: The Power Point presentation is attached to and becomes a permanent part of these minutes.

Mr. Hunder stated that the presentation addresses the property and the current Commercial Recreation District, the development objectives for this amendment and what the primary goals are that the Zoning Commission wants to achieve with the amendment. He said it will give a brief overview of some of the high points of the chapter, it will talk a little bit about planned unit development, since it will be a new type of zoning in Geauga County and also look at the successful mixed use districts in Ohio and there will be a few words on collaborating with the city of Aurora because it is an important part of the entire project. He reviewed the power point presentation by saying the property (Gauga Lake Park) used to be a great place and well maintained and lots of activity over there but to date the property has been neglected so it does have extreme value for everybody here in the township, it presents as a huge beautiful lake and what we really want to do is try to enhance that value as we go forward with the amendment. He referred to the map and said the property located in the yellow triangle is the property that is going to be rezoned to MUP and in the red is the Gauga Lake Property. He said in the CR district there is retail development but no residential and with the Mixed Use Planned Unit Development it will allow for a blend of residential along with nonresidential development such as professional office, smaller retail stores and the like.

Ms. Jennifer Syx referred to the power point presentation and the development objectives. She stated that this will promote responsible development and also create an attractive area for development and the goal for mixed use is to create a vibrant district that will bring new housing opportunities, jobs and add to the quality of life in Geauga County. She said what they heard from the public is to incorporate Gauga Lake's natural features and also project the lake and they want to bring public access to the lake so that regardless of development that the public will be able to have access to the lake. She referred to the Purpose Statement and said they are trying to promote the redevelopment and protect the natural resources and what Chapter 190 does is to provide guidelines and standards so there are rules in place but it is also designed to be flexible. The mixed-use plan will promote integrated development and will be compatible with the adjacent neighborhoods, this is a little bit new with higher density but we think it will create a nice blend by using natural features. She referred to the proposed zoning map showing the current CR District (Commercial Recreation) and the proposed mixed use.

Mr. Hunder said the origins of this chapter, in order to accelerate something in place, so the developers can actually know what they can do over there, is to take from a much larger effect that the Zoning Commission is also working on a parallel known as the Comprehensive Zoning Resolution, to take that language out of that Comprehensive Zoning Resolution and bring it into a smaller form to create Chapter 190 so those of you that have been following the CZR this is a collaborative effort amongst the number of people to revise and refresh the future zoning here in the township. We have had Kendig Keast Collaborative, they bring a national perspective to zoning, their experience across the country with zoning amendments and helps townships like ours craft better zoning to protect the lands and implement what the communities want to have put in place and also to help with the developers on the properties.

Mr. Hunder continued by saying we have had the experience of the Zoning Commission here and the Zoning Inspector who have been working on the CZR for close to three years, we got input from Geauga County, David Dietrich was very helpful in reviewing the chapter as we went along providing his in site and experience of zoning and we have had Ms. Jennifer Syx and Mr. Jordan Warfield of inSite Advisory Group also providing their expertise on getting this type of economic development started so it is the best possible end product is what he believes when we move forward with this. One of the big things the Zoning Commission wanted to do was make the zoning amendment much more user friendly, you will see this in the CZR when it is brought out so what is in place here is a snapshot of what will be part of the Comprehensive Zoning Resolution where we have been able to add pictures and drawings that make clear all of the different design elements and rules and regulations that are included, things are organized in tables to make it easier rather than long paragraphs that is the mainstay of the current zoning resolution that we have here in Bainbridge Township.

Ms. Syx presented an overview of Chapter 190 such as Land Use; Development Yield; Development Standards; Site Capacity & Environmental Quality; Stormwater Management; Access, Parking, Loading and Lighting; Landscaping & Buffering and Administrative Standards. The Mixed Use Development will be developed in 100 acre tracts with 30% residential; 30% Office/Commercial; 30% Vertical Mixed Use and 10% Variable. There are four different use types which are Permitted; Permitted with Regulations, which gives the Zoning Inspector the ability to approve or deny; Prohibited and Conditional. Permitted uses in the mixed use are medical office; residential and retail. Permitted with regulations are things like pet stores. We want to provide a viable community but we also want to make sure people understand the layout of the land and what we are looking for in a multi-family unit development, we don't want pet stores on the first floor with residential upstairs. We are promoting retail with offices, pet stores are fine but are a permitted use in other areas of the district. Conditional is a planned unit development and certain uses are prohibited such as tattoo parlors and pawn shops.

Mr. Hunder said one of the goals is to provide a different mix of housing to allow not only people who want to live here in the township and not own a large lot but also to encourage others who may be married or single professionals who want to get away from the city and have a place to live out here without having a commitment on a large house or a large lot to take care of so we wanted to put together a flexible environment not only for those people but also to put it together in a unique package that allows new housing to be prominent but also non-residential elements as well as a combination of those two in what we call vertical mixed use so we have in addition to single family homes we have regulations and guidelines for townhouses and for twin-homes which are side-by-side smaller homes and we have regulations for condominiums and apartments there as well so we are extending the types of housing that are traditional here in the township and bolstering those by opening up a little bit more flexibility. In addition to that what we see when we get into some of the other mixed use developments in Northeast Ohio is that a lot of singles and young people married with no children want to live in areas where there is more going on than just residential so the MUP is to allow restaurants, professional offices, services, medical centers and retail will also be a part of the development.

Mr. Hunder continued by saying vertical mixed use is actually a mix of those two things with first floor businesses, restaurants etc, with apartments and larger condominiums and residences on top of that which would bring together a nice mix of all of these elements. He said there is also a permit process within the chapter so this will allow to actually get to the point where we have something that everyone is happy with so there are a lot of steps in place so that it can be presented as an initial plan, there will be review stages with the Zoning Inspector, we can bring in the Board of Zoning Appeals if necessary to adapt and be flexible with all of the regulations that we have set up. There are lots of numbers, lots of percentages, lots of square footages, lots of setback numbers that we realize probably are good starts for us but we also want to be able to offer the flexibility to make sound judgments in those areas and make compromises where we can seek out gains for the township and there is a whole process here so what is actually in the zoning amendment here is some of our best work on what we think it should look like but realize that especially with having to work with Aurora and working with some of their standards we need to have a process in place where we can make some changes to that.

Ms. Syx referred to some current Mixed Use Developments in Ohio. The first being First & Main in Hudson, Ohio; Easton Town Center in Columbus, Ohio; Liberty Center in Cincinnati; Watermark Village in Cuyahoga Falls; Towne Lake in Houston, Crocker Park in Westlake, Ohio and Celebration in Florida. She reviewed each center and explained their amenities and stated that she does not know of any Mixed Use Development that hasn't done well.

Mr. Hunder solicited comments for the proposed amendment.

None.

Mr. Hunder solicited comments against the proposed amendment.

None.

Mr. Czekaj made a motion to close the public hearing.

Mr. Yingling seconded the motion.

Vote: Ms. Byrne, aye; Mr. Czekaj, aye; Mr. Hunder, aye; Mr. Nichols, aye; Mr. Yingling, aye.

The public hearing was closed and the special meeting was reconvened at 7:45 P.M.

The Zoning Commission was in agreement to make its recommendation at the next regularly scheduled meeting to be held March 31, 2015.

MEETING SCHEDULE

The Zoning Commission was in agreement to hold a special meeting on April 14, 2015 at 4:30 P.M. for the purpose of meeting with the Bainbridge Township Board of Trustees and Mr. Bret Keast of Kendig Keast Collaborative.

CORRESPONDENCE

1. Zoning Permits Report, dated February 2015.
2. Board of Zoning Appeals Meeting Minutes, dated February 19, 2015.
3. Memo from Mr. David C. Dietrich, Geauga County Planning Director, dated March 18, 2015. RE: McFarland Woods Subdivision Phase I – Final Plat (Amended).

Since there was no further business to come before this meeting of the Bainbridge Township Zoning Commission, Mr. Nichols made a motion to adjourn.

Mr. Yingling seconded the motion that passed unanimously. The meeting was adjourned at 8:07 P.M.

Respectfully submitted,

Linda L. Zimmerman
Zoning Secretary

Steve Hunder, Chairman

Date Approved: April 28, 2015

AUDIO RECORDING ON FILE