



Summit County Planning Commission (SCPC)
Thursday, May 30, 2024 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio
Meeting Minutes

A. Call to Order

Vice Chair Dennis Stoiber

Vice Chair Dennis Stoiber called to order the *Thursday, May 30th, 2024 - SCPC* monthly meeting at 3:00 p.m.

B. Roll Call

Dennis Tubbs

SCPC Member	Present
Open	
Dickinson, Erin	
Wiedie-Higham, Christine	X
Jones-Capers, Halle	X
Kline, David	X
Mavrides, Allen	
Reville, Rich	X
Segedy, Jason	X
Snell, Jeff	X
Stoiber, Dennis	X
Terry, Robert	X

Reported by *Dennis Tubbs*, we have a quorum for SCPC meeting Thursday, May 30th, 2024 – SCPC monthly meeting at 3:01 p.m.

C. Approval of the April 25, 2024, SCPC Minutes

Vice Chair Dennis Stoiber

Vice Chair Dennis Stoiber made a motion to approve the Thursday, April 25th, 2024, Summit County Planning Commission Meeting minutes as submitted.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle					X
Kline, David	X		X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason		X	X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

David Kline made a motion to approve the SCPC Meeting Minutes for Thursday, April 25th, 2024, as presented and it was seconded by Jason Segedy, all in favor, aye, oppose_0_, SCPC Meeting Minutes for Thursday, April 25th, 2024, was approved with _1_ abstentions (Halle Jones-Capers).

D. Business Items

Stephen Knittel

New Business

1. **Residential Conservation Development – Text Amendment – Copley Township** – Proposing to amend 3.06 R-CD (Conservation Development) Residential District, to move definitions to Article 2 of the Zoning Regulations, to add new regulations, and to clarify existing regulations.

Reported by Stephen Knittel:

Stephen Knittel reported zoning text amendment in Copley Township; this is a proposal to revise zoning text resolution for the residential conservation district so that it can better meet its stated goals to maximize the protection of the community's natural resources while encouraging creative solutions to a development which best conserves the area's natural resources. It's a substantial amount of changes that did come before staff several months ago. The initial proposal at the time was to completely scrap the section, however, the resolution was to put together a community group and a group with the township to work together to come up with revisions. So, these are revisions being presented from those efforts.

Apart of the review staff were also asked from staff and the planning commission to give additional recommendations specifically on the placement of stormwater surge, etc. in terms of how it interacts with open space. Whether it should be permitted, permitted up to a certain percentage or not permitted. Staff comments were to recommend following Bath Townships open space standards which allows a percentage of retention or naturalized storm water management areas within the open space, however, any surface body of water only 50% of that can count surface body can count towards the open space so that you are not getting a full amount of open space that's just a pond. In line with this, Mr. Knittel included the county Subdivision Regulations for open space standards at the county level. We do allow credit to be included for storm water retention ponds and/or fire ponds that are incorporated into

park or open space, such as the areas safe, accessible, and useable as community amenities by the public or residents of the subdivision.

Also included is language from Sagamore Hills, that states their open spaces serve conservation space, they do not allow storm water controls within this.

This shows the range is there so the recommendation for allowing a percentage to be used is probably the goal of preserving natural resources while encouraging creative solutions of development.

Staff recommendation is approval.

Questions/Comments from the members:

Dennis Stoiber asked, how long has Bath Townships provisions have been in place approximately?

Knittel responded that he could not answer that question.

Stoiber asked, do you know of any difficulties they have encountered as a result of the way that the language reads?

Knittel responded that he did not.

Applicant:

James Averill, Vice President, Copley Homeowners Association

3485 Stimson Road

Copley, OH 44321

Mr. Averill was here in support of the text amendment. The HOA was involved with this a while ago at the beginning to eliminate the text as they did not feel as though it suited the purpose of the township at the time. But through the progress of working with the zoning commission and zoning employees they have had a lot of meetings. They have been trying to work it out with a hand full of township members that have been involved from the beginning, he feels as though they have come a long way with this improvement of the text amendment. He believes it will be more conducive to the township with all the intricacies that they have in their area, he knows it's different in other areas, but that is what makes it very unique.

He stated for him this is very personal as he is a long-time resident of Copley Township with 4 generations that have lived in this area.

They have had very traditional developments in the township in the past 20 years and they are trying to curve that with trying to guide people towards a more conservation developments in the township and make a good example of other communities in the Akron area.

Questions/Comments from the members:

No questions asked of the applicant by Summit County Planning Commission members at this time.

Representation for the Township:

Shawna Gfroerer, Zoning Inspector, Copley Township

1540 S Cleveland-Massillon Road

Copley, OH 44321

Miss Gfroerer reported that this text amendment was brought before you several months ago to repeal the R-CD from the zoning resolution. The township at the time requested the opportunity to revise this with the members of the community, which a core group of members and residents did allow this to occur. Miss Gfroerer reported that they started working with about 5 to 7 residents in March of 2024 they held 5 (open to the public) workshops that again 5 to 7 of the residents attended consistently through all of the workshops. They were able to use a lot of the model regulations from Chagrin Rivers Watershed Partners, which was their main model that they utilized as well as the R-CD codes found in Cuyahoga Falls. Summit Soil and Water, EPA recommendations from staff that were considered for open space.

Some of the major revisions highlighted were to remove definitions in Article 2 that were found in Article 15 which removed about 5 pages. A major change was that they removed single family attached as one of the dwelling options and they did add two (2) family dwellings, they still wanted to do some of the attached, some of the multi-family. They did add minimum for single family detached to be at least 30% of the project which is a model regulation from other communities. They changed the districts where the overlay could be applied from all districts from the R-MD, R-LD and R-OC and then they had regulation the Board of Trustees denied the text amendment as their goal was to allow up to work with the community on a neutral density text that would not produce over densifying in the R-CD. The regulations now allow no greater than 90% of that in the underlined district as well as a small density credit where appropriate. Those are the major changes.

They also modified the minimum restricted open space by district, still 40% being the minimum for residential median density; 50% for residential low density and 60% for our most restrictive open space conservation district. The wetlands setbacks were updated specifically for the R-CD there was a lot of conversation about applying those across the board in the riparian reservations, but that would impact the residents outside the district and create a lot of hardships for residents in this township who are affected by flood plains and riparian, so it was decided to keep this in the R-CD only.

The updated density the township previously had a flat density credit of 20% for above the underlined zoning district, now they spelled out by the district, that the density credits based on the open space additionally that you are providing. So, if you are providing additional open space then you get a small credit for your density.

This is still a review in progress and the zoning commission will meet again on June 2, 2024, to continue the public hearing to review language for the open space specifically the storm water controls that can be placed there.

They also made a change that storm water controls cannot be counted towards your density so it cannot be counted by the projects overall boundary since they are already subtracting that. This is why they created a percentage opposed to not being able to put anything there at all. They can also add more recreational features in the open space if they give more open space.

Definitions:

R-CD: Residential Conservation District

R-LD: Residential Lower Density

R-MD: Residential Medium Density

R-HD: Residential Higher Density

R-OC: Open Space/Conservation District

Questions/Comments from the members:

David Kline commended *Shawna Gfroerer* for their efforts with the committee.

Jason Segedy inquired about the scale back from covering all residential to subset and mentioned the R-LD. Do those tend to be the rural parts of the southern part of the township.

Shawna Gfroerer responded, not necessarily, R-MD encompasses probably 60% of the township that's the majority, and they wanted to make sure they kept R-MD, R-LD and R-OC along the Barberton reservoir specifically southeast and southwest of the township.

Jeff Snell asked Miss Gfroerer to summarize as the acronyms he knows some of but was very hard to follow. He asked that Miss Gfroerer put it into terms that he understands.

Shawna Gfroerer referred to the submitted table in the resolution (see Table 2; page 25)

County Engineer's Office:

Joe Paradise, County Engineers Office

Mr. Paradise stated we do not have a position on the zoning per se. However, you'll have township association as limited township members that there is an issue before state legislature seeking to eliminate all zoning, due to lack of affordable housing, during the approval and process it's too cumbersome, and there are too many different codes. But

the general population does not understand zoning codes. Coming out of the Columbus and Cincinnati area, there is a new chip manufacturing plant going in and they are trying to get developed and are paying high prices, the developers are running up against zoning issues.

Jason Segedy asked if this was to eliminate all zoning or all zoning in townships.

Mr. Paradise answered, all zoning in townships.

Summit Soil and Water: Not present

Questions from the Public: No questions from the public

Discussion from the members: No further discussion from members.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine	X		X		
Jones-Capers, Halle			X		
Kline, David			X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert		X	X		

Motion

Christine Weidie-Higham made a motion to approve the **Residential Conservation Development – Text Amendment – Copley Township**, with due consideration to staff and County Engineers office comments and it was seconded by *Robert Terry*, **all in favor, aye, oppose_0_**, **Residential Conservation Development – Text Amendment – Copley Township**, was approved with 0 abstentions.

Dennis Stoiber congratulated the township, he stated that this is a very thoughtful set of revisions. He was glad that they consulted Soil and Water, Chagrin River and that they took great advantage of the information needed.

Old Business

1. **Kingdom Preserve Preliminary Plan – Springfield Township** – Proposing 36 units on a proposed public cul-de-sac off of Killian Road. 28 units in the current phase and units 29 through 36 in a future phase requiring a 100-year Flood Plain Map amendment.

Reported by Stephen Knittel:

Stephen Knittel reported this is a preliminary plan in Springfield Township off Killian Road, the applicant is proposing 36 units, currently 28 units are in Phase I and remainder pending future development pending a 100-year flood plain map amendment and a permanent cul-de-sac has been proposed.

Previously this was before us where the township had some comments that the applicant had to work out which they have done. They have received approval on variances from the township, so the plan is A-Ok with the township all that remains is County Engineers office and staff comments.

Staff recommendation is conditional approval and satisfy staff and Summit County Engineers comments.

Applicant:

Rick Kiphen, Developer
3206 South Jackson Blvd.
Uniontown, OH

Rick Kiphen reported that he has been working with the township to get the variances of some things that have changed, they worked through them and received the variances, they are here now for conditional approval of the proposed plan. He is here with Rich Largent, Engineer to answer any questions that the members may have.

Questions/Comments from the members:

Dennis Stoiber asked, have you reviewed any of the comments from the County Engineers office?

Mr. Kiphen answered, yes.

Mr. Stoiber stated, are there any of those comments as it appears to him that the minimum 100-foot tangent between reverse curvature that may be a probe with this land.

Mr. Kiphen responded, yes that may potentially be an issue, this is one of the issues that they are looking at. It is there, but right now it's not an issue.

Mr. Stoiber stated as he is looking at it, incorporating the requirement is that going to significantly change the plan to say reduction in number of use? *Mr. Stoiber* commented on how this geometry is going to work, placing a 100-foot tangent in place.

Mr. Kiphen stated, between Rich, Joe and *Mr. Andy Dunchuck* at County Engineer's office they have been working on it and if this does become an issue and they cannot get this in then and if it becomes a potential burden they can come before the members and if there is some type of variance that can take place in this situation if that is something that may come before them and the commission as a plan B or Option 2 to the tangent referenced.

Mr. Stoiber asked is the red line that shows on this plan right now a delineation?

Mr. Kiphen responded the red line is the composite setback. Correct.

Mr. Stoiber asked That is the set number so the units that are ghosted because the red line cuts through them are not apart of what you are proposing.

Mr. Kiphen responded Correct. Right now, they are ghosted, and they are going to be applying for a 100-year flood plain map amendment on that, which is why they are calling it Phase II.

County Engineer's Office:

Joe Paradise, County Engineers Office

Mr. Paradise stated that it would be extremely difficult to build this same subdivision. However, they have had similar situations in the past Phase III of Meadows of Wintergreen in Springfield Township the developer split the parcel in half and put a road in the middle to the north was a curve that you could not see over. So, when speaking to the developer they moved the road further south but gave up three (3) houses to build it.

Joe Paradise stated that if commission approved it now then the condition still remains as it is in the code. He doesn't see how they are going to do it; he suggests that they have at least 3-4 meetings and make some submittals. He

believes the developer will be back with another request for variance on something less than a 100-foot tangent between them.

Mr. Paradise's suggestion is that the developer knows what they need to do, come back to the commission with 3 or 4 options, talk to Andy Dunchuck and see if they can come up with a better design.

Dennis Stoiber referred to comments made by Andy Dunchuck, Summit County Engineer's office:

Comment #7 A minimum tangent of at least 100' is required between reverse curves and provide the Centerline Radius for both curves.

Comment #8 Kingdom Way must intersect Killian Road at an angle not less than 70-Degrees. In addition, the intersecting road must have a minimum tangent distance of at least 100'.

What does this mean? What is the intersecting road? Kingdom Way?

Mr. Paradise responded, Kingdom Way.

Summit Soil and Water: Not present

Questions from the Public: No questions from the public

Discussion from the members: No further discussion from members.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David		X	X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason			X		
Snell, Jeff			X		
Stoiber, Dennis	X		X		
Terry, Robert			X		

Motion

Dennis Stoiber made a motion to **table Old Business Item #1 Kingdom Preserve Preliminary Plan – Springfield Township**, and it was seconded by *David Kline*, ***all in favor, aye, oppose_0_***, **Old Business Item #1 Kingdom Preserve Preliminary Plan – Springfield Township**, was **tabled at the applicants request until next meetings** with **_0_** abstentions.

E. Report from Assistant Director

Assistant Director Dennis Tubbs

Dennis Tubbs reported that Mr. Knittel had been working on the General Plan. We believe we are at a point where the planning committee needs to create a Steering Committee. The Steering Committee will have public hearings to review the general plan, we'll go through to do data gathering, formulate some goals and objectives and have meetings with the public.

Dennis Tubbs asked the Planning Committee if they could make a motion to create a General Plan Steering Committee, and he will also send out an email if anyone would like to be on the committee. He will also send emails to the Health Department, County Engineers office, Soil and Water, Metro Parks.

The ultimate process is having the meeting, have public meeting, review the documents, put together a drafted document from the Steering Committee that will come back to Planning Commission the review, once approved will go the County Council for final approval. 2005 was the last time General Plan Steering Committee met.

Questions/Comments from the members:

Jeff Snell asked what exactly a Steering Committee is, is this the review of the plans of the entire county or townships.

Mr. Tubbs responded, if you took a 20,000-foot view of Summit County with potential development or a 20,000-foot view where the communities would have detailed view for every individual community. We would like to supplement what the county does in a larger perspective.

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine		X	X		
Jones-Capers, Halle			X		
Kline, David			X		
Mavrides, Allen					
Reville, Rich		X	X		
Segedy, Jason	X		X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

Jason Segedy made a motion to *approve* the **General Plan Steering Committee**, and it was seconded by *Rich Reville and Christine Weidie-Higham, all in favor, aye, oppose_0_*, the **General Plan Steering Committee**, was *approved* with *_0_* abstentions.

F. Comments from Public

Vice Chair Dennis Stoiber

No one from the public made any additional comments.

G. Comments from Commission Members

Vice Chair Dennis Stoiber

H. Other

1. Legal Update

Attorney Marvin Evans

Atty. Evans stated that he was unaware that the state was trying to get rid of potential township zoning, interestingly as a charter county there are provisions for a county to actually impose zoning in the township. Even

if the legislature tried to do something with the counties, it's harder to change, we may still be allowed to put zoning in place.

Delfino case two (2) issues: 1- they are refusing to settle the case in the 9th District they appealed it. They did an administrative appeal; we filed a motion to dismiss as the court does not have jurisdiction over that. That was an attempt to settle the case not a new filing. Their attorney said they thought it was a new filing and we'll wait to see what happened there. 2- the case that is in the 9th District, the briefing is almost complete, but not quite they have their reply brief that is due soon.

I. Adjournment

Vice Chair Dennis Stoiber

SCPC Member	Motion	Second	Aye	Oppose	Abstain
Open					
Dickinson, Erin					
Wiedie- Higham, Christine			X		
Jones-Capers, Halle			X		
Kline, David	X		X		
Mavrides, Allen					
Reville, Rich			X		
Segedy, Jason		X	X		
Snell, Jeff			X		
Stoiber, Dennis			X		
Terry, Robert			X		

Motion

David Kline made a motion to *adjourn* the **SCPC meeting held Thursday, May 30th, 2024**, and it was seconded by Jason Segedy, ***all in favor, aye***, the **SCPC meeting held Thursday, May 30th, 2024**, the motion was *adjourned* with 0 abstentions at 3:57 p.m.

These minutes were recorded, prepared, and represent the writer's best recollection of the items discussed by:
Tazena Long
Executive Assistant
Department of Community and Economic Development
Thursday, June 13, 2024 @ 4:08p.m.