

Zoning Commission

Application #ZON-19-02

November 19, 2019

Rezoning Application #ZON-19-02, TH Midwest Inc., Requesting amendment of one property from the currently effective signage plan approved under Application #17986 applicable to Green Meadows Plaza Planned Commercial and Office District (PCD). The property is owned by 401 East Powell Road LLC and located at 8940 Green Meadows Road, being lot 7511 of Green Meadows Industrial Park Phase 1, having parcel number 318-313-04- 013-002.

Roll: Mark Duell, Christine Trebellas, Adam Pychewicz, Dennis McNulty, Dennis Doherty

Township Officials Present: Michael McCarthy Legal Counsel
Michele Boni Planning & Zoning Director

MOTION TO RETURN FROM RECESS FOR REZONING APPLICATION #ZON-'19-02

Mr. Pychewicz made a motion to return from recess for Rezoning Application #ZON-19-02, TH Midwest, Inc.; seconded by Mr. McNulty.

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

Motion carried

Mr. Duell: We do not have a new submission; I believe we have a request to push back the date?

APPLICANT PRESENTATION/COMMISSION QUESTIONS & COMMENTS

Chris Rinehart, here on behalf of Turkey Hill, despite my best efforts to get a plan together from the design committee, I did not get updated materials until last Thursday at about 6:00 p.m., so I did not have a chance to go through it in complete detail and conform it to Mr. McCarthy's notes. In talking with Michele, we thought it best to table it to a later date to give us collectively time to go through the revised plans. I did want to bring up a couple things. There was a question about the bottom of the monument signs and brick versus stone.

Mr. McCarthy: My notes reflected it was to be changed to brick.

Mr. Rinehart: They left both options because they weren't really sure either. Showed what it was originally, which was lighter, and had one that was darker which matched the building.

Mr. Pychewicz: That's what we're looking for, to match the building.

Ms. Trebellas: That's what the text suggested, and I reviewed the minutes last night, and that's what was implied in the minutes.

Mr. Rinehart: And they got rid of all the shiny metal stuff.

Mr. Rinehart showed an updated elevation on the front of the store. We originally were going to treat it as one sign, but now we're going to treat it as three different ones. They made it a bump out of the building, covered it with stone and they're going to attach the signage directly to the stone. Before it was all one

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fabricated thing, so they changed the building design and covered it all with stone and attached the signs directly to the building. It will probably aesthetically look better than having the....

Ms. Trebellas: Floating signage?

Mr. Rinehart: Yes. I noticed too that they did not touch the size of the monument signs, so that's another reason I did not want to come back tonight.

Ms. Boni: Both of our regular hearing dates for December are booked with applications, so I threw out the option of scheduling Tuesday, December 10th. That would be an additional hearing in December, and I don't know if everyone is available or if we can look around that time. I would need the revised submittal by December 3rd.

Mr. Rinehart: I hope to have the revised submittal by the end of this week.

PUBLIC COMMENT

None

MOTION TO TABLE REZONING APPLICATION #ZON-19-02

Mr. Pychewicz made a motion to table Rezoning Application #ZON-19-02, TH Midwest, Inc., until Tuesday, December 10, 2019 at 7:00 p.m. at Orange Township Hall; seconded by Mr. McNulty.

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes
Motion carried

APPROVAL OF MEETING MINUTES

Ms. Trebellas made a motion to approve the August 6, 2019 meeting minutes of the Orange Township Zoning Commission for Rezoning Application #ZON-19-01, Porshi Development, LLC with the following corrections:

- Line 219: "ft" should read "if"
- Line 293: place a comma after "Summerfield"
- Line 554 "Courtyards at Hidden Creek" should read "Courtyards at Clear Creek"

Seconded by Mr. McNulty

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-abstain
Motion carried

Mr. McNulty made a motion to approve the September 17, 2019 meeting minutes of the Orange Township Zoning Commission for Rezoning Application #ZON-19-01, Porshi Development, LLC, with the following corrections:

- Correct the spelling of Mr. Pychewicz's name throughout minutes

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- Lines 132-133 should read as follows: "You're asking them to look at this and be ready to act and authorize you to move forward with the option that you recommend ultimately?"

Seconded by Mr. Pychewicz

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

Motion carried

Mr. McNulty made a motion to approve the September 24, 2019 meeting minutes of the Orange Township Zoning Commission for Rezoning Application #ZON-19-02, TH Midwest, Inc., with the following corrections:

- Change the name of the attorney from Todd Brenner to Chris Rinehart throughout the minutes
- Line 278: Change the word "Arrowstream" to "Airstream"
- Line 404: Take out the duplicate of the word "what"

Seconded by Ms. Trebellas

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-yes

Motion carried

Mr. McNulty made a motion to approve the meeting minutes of the Orange Township Zoning Commission dated October 8, 2019 for Rezoning Application #ZON-19-01, Porshi Development, with the following corrections:

- Line 121 should read: "When we looked at the Recorder's Office, we realized they...."
- Lines 794-795 should read: "I suggest a final Certificate of Compliance for a structure adjacent to a buffer area not be issued until landscaping buffers are completed and approved."
- Line 899 should read: "....our development does not need that pond...."
- Line 937: the word "center" should read "edge"

Seconded by Mr. Pychewicz

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. Pychewicz-yes, Mr. McNulty-yes, Mr. Doherty-abstain

Motion carried

Mr. McNulty made a motion to approve the October 15, 2019 meeting minutes of the Orange Township Zoning Commission for Rezoning Application #19-01, Porshi Development, LLC, as written; seconded by Ms. Trebellas.

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. McNulty-yes, Mr. Pychewicz-yes, Mr. Doherty-abstain

Motion carried

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MOTION TO APPROVE THE ZONING COMMISSION CALENDAR FOR 2020

Mr. Duell: Mr. McCarthy has requested that we not have a meeting....

Mr. McCarthy: If we could, between May 23rd and June 6th.

Mr. Duell: Which is the hearing date of June 2nd.

Ms. Boni: Can I push it up to June 9th if I have to?

Mr. Duell: Why don't we just leave that one out? If something comes up, we can discuss scheduling something ad hoc. Mr. McCarthy is only going to be gone a week, so we may as well let that one go. Everything else looked okay to me.

Mr. Pychewicz made a motion to approve the 2020 calendar for the Orange Township Zoning Commission as amended; seconded by Ms. Trebellas.

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. McNulty-yes, Mr. Pychewicz-yes, Mr. Doherty-yes
Motion carried

Other Business

Mr. Duell: We have the agreement with Calfee for the zoning diagnostics.

Ms. Boni: Last time we discussed this, we went over three different options on how to proceed with the zoning diagnostics review; we chose Option A which involved the most in person meetings, so that's where the cost increased a bit. We had the consultant put a service agreement together and had it reviewed by the Prosecutor's Office, and it has been finalized between the consultant and Prosecutor. Last night at their meeting, the Trustees approved the expenditure.

Mr. Duell: We've been asked to sign this?

Ms. Boni: Yes, I have the original copy that I need all the Zoning Commission members to sign, and then I'll have the Fiscal Officer sign as well as the Prosecutor.

Mr. McCarthy: Under the Revised Code, the Zoning Commission as a body is the only entity that can hire planning assistance in regard to zoning and for that reason, I think Mr. Betts has prepared the contract so as to be signed by each of you.

Ms. Boni: When the consultant submitted the original copy, they put the November 12th date just because that was the date I received it. I did bring whiteout if you wanted to change it to today's date.

Mr. McCarthy: I would take a pen, cross out November 12th, enter the date it's being signed by everybody and everyone initial the interlineations; or maybe leave the date as is, and put the date after your signature.

MOTION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CALFEE STRATEGIC SOLUTIONS, LLC, DBA CALFEE ZONING

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Ms. Trebellas made a motion for the Orange Township Zoning Commission to enter into a Professional Services Agreement with Calfee Strategic Solutions, dba Calfee Zoning, presented to the Commission with the agreement effective date being November 12, 2019; seconded by Mr. Pychewicz.

Vote on Motion: Mr. Duell-yes, Ms. Trebellas-yes, Mr. McNulty-yes, Mr. Pychewicz-yes, Mr. Doherty-yes

Motion carried

Ms. Boni: The next step would be to have a kick off meeting, but I'm going to wait until after the holidays, so I will keep you all informed when that will happen.

Ms. Trebellas: It's supposed to occur within 30 days of commencement according to this.

Ms. Boni: I think the work can be started; we just wouldn't have our first meeting.

Mr. McCarthy: For the sake of the record, Ms. Boni did approach the consultant and requested that they define the deliverables that would be provided. They did indicate per the agreement we have tonight to provide up to 20 paper physical copies and one electronic digital. Your office is satisfied with that as to the draft plan and those copies will be run by the Township?

Ms. Boni: Yes. I think we said that each one of you can sign this and have your own date next to it.

Mr. McCarthy: Yes. I would sign your name then put the date after it and that way there's no question that we haven't fiddled with anything. The only possible repercussion I suppose is there's a 30 day limit but I don't think Calfee is going to want to argue that date.

Meeting adjourned at 7:35 p.m.

Minutes prepared by Cindy Davis, Zoning Secretary

On December 10, 2019, Mr. Pychewicz made a motion to approve the meeting minutes of the Orange Township Zoning Commission dated November 19, 2019 for Rezoning Application #ZON-19-02, TH Midwest, Inc. as written; seconded by Mr. McNulty.

Vote on Motion: Mr. Pychewicz-yes, Ms. Trebellas-yes, Mr. McNulty-yes, Mr. Doherty-yes
Motion carried