

Zoning Commission Meeting
March 24, 2021
ZC-02-20

Members/Attendance:	N/A	Gene McCullough
	X	Frank Mazzocca
	X	Frank Prusak
	X	Bill Gardner
	X	Paul Sherman
	X	David Long
Also in attendance:	X	Bob Monus, Zoning Inspector
	X	Michele Richards, Recording Secretary

Paul Sherman called the meeting to order at 6:00 p.m.

1st Order of Business:

ZC-02-20 – This is a tabled meeting to review proposed modifications to the Residential-P.U.D. plan for Universal Development.

Attorney J. Michael Thompson
Henderson, Covington, Messenger, Newman & Thomas Co., L.P.A.
6 Federal Plaza Central, Suite 1300
Youngstown, Ohio

Attorney Thompson is in attendance representing Universal Development.

He explained that the Planned Unit Development (PUD) was already approved by the Trustees on 12/09/2020, as a result of numerous public meetings. He referenced Section 5.04, paragraph 9, of the Zoning Resolution for relatively minor changes to an already approved PUD. Paragraph 9 proves two requirements to an already approved PUD; the first is all proposed changes must be submitted with documentation to the Zoning Commission for approval, which Universal Development has done. The second, is the changed plan must meet the basic objectives and all regulations and requirements of the zoning regulation. The decisions as to this project have been made and what we are talking about now are all details. The original approved plan meets the criteria of the PUD section under the zoning regulation. This has been decided upon at prior meetings. He added, the minimum parcel size is five acres, and this is a 15.9 acre development, and has a maximum density of four dwellings or fewer per acre, which would lead to 63.6 dwelling units on this land (in theory). The proposal included before the changes 3.5 dwelling units per acre, 56 units fewer than what is permitted. A total open space of at least 30% of gross acreage minus buildings. The resolution requires 4.02 acres of that on this land, the PUD provisions provide for 5.9 acres. Finally, it requires a landscape buffer of not less than 25 feet between any structure and the boundary line. The buffers in this PUD vary and are always greater than 25 feet and are mostly greater than 50 feet.

He went on to explain that the original plan met the criteria of the zoning resolution and the decisions of the Commission and Trustees to approve it were legally correct. The changed plan also meets the criteria, and in fact improves it. The changes eliminate one building entirely. The

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net effect of these changes is that the parcel size remains unchanged. The maximum density requirement was at 3.5 dwelling units per unit acre; now it is at 3.375 since there is one less building. Total open space is also greater. Landscape buffers have some variations dictated by grading requirements and the movement of buildings to accommodate the grading requirements.

He stated that the reason for the changes to an already approved plan is water. One of the most important issues is where water runoff and storm water go. This land starts off at a high point at the left end, and gradually slopes down towards the mouth of the street and dips down towards the bottom. There is sloping towards the Clingan Trails houses. The end result is that there is an existing flow of water on the land that we can more or less draw out, if needed. He went on to demonstrate the water pattern on a drawing.

He stated that as far as the water problems that were discussed at previous meetings that he was not present at, some of them are described at the back of the Clingan Trails property. There are multiple causes for those problems, but whatever extent of the problems that are caused by runoff from the existing land, this will solve it. There was an old ditch built several years ago to try to divert some of that problem. Once you get to the mouth or the bottom of the funnel of where the water is to go, some of the grading needs to be changed from what the original plan was. The end result is the buildings get shifted in order to make the grading work, and make the storm water funnel down into the water quality pond and detention pond.

The purpose of the changes is to enable the runoff and storm water management in the PUD to solve whatever percentage of existing water issues we can solve and prevent future water issues by having a runoff storm water management system that works. This is creating a path for the water, and water flows down hill, and we have to change the shape of the hill. In order to change the shape of the hill, we have to move some of the buildings. The water quality pond is an EPA requirement, separate and distinct from the existing detention pond. The pond goes where building 1 has been eliminated. The purpose of the pond is that it holds for approximately 48 hours the first two feet of storm water runoff. This is a pond with a permeable bottom that over the 48 hours the first two feet of water sits there and over two days soaks down into the water table. The rest of it rolls into the detention pond. He referenced a pond near the corner of Tiffany Blvd. going to Giant Eagle that is a water quality pond, and there is no standing water in it. He also referenced a detention pond at the back side of Wal-Mart that is always full of water. To whatever extent that water quality pond creates issues or concerns for neighboring land owners, Universal is willing to address those. The only time there should be water standing in it is immediately after a rain heavy enough to cause water to stand in it.

He stated that the old PUD meets the requirements of the zoning resolution. The PUD with the changes also meets the requirements of the zoning resolution. He is requesting that the changes be approved at tonight's meeting.

Paul Sherman asked the Board if there were any questions. There were none.

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The following motion was then made:

Motion

Frank Mazzocca made a motion to accept the final PUD, as per the plans submitted. Bill Gardner seconded the motion.

Members in agreement:	X	Frank Mazzocca
	X	Bill Gardner
	X	David Long
	X	Frank Prusak
	X	Paul Sherman

Motion carried.

Paul Sherman stated he would like to add to the motion in regard to water retention that it is fenced in with a minimum of three feet of height, with wrought iron or something you can see through. Also a requirement of a performance bond for water detention.

Sherman also explained the reasons for tabling the meeting.

Meeting adjourned at 6:20 p.m.

Submitted by:

Michele Richards/Recording Secretary

cc: Trustees (3)
Board of Zoning Appeals (6)
Zoning Commission (6)
Paul Canter, Fiscal Officer (1)
File (1)