

ZONING COMMISSION

Regular Meeting

June 7, 2018

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Int. Ch. Dermody called the regular meeting to order at 7:04 p.m.

Int. Ch. Dermody stated that there would be a slight change in the order of the New Business – the Hollow at Willow Lakes will be discussed first and the David Terry submittal will be discussed second.

Int. Ch. Dermody stated that Alternate Kalina would move to sit on the Commission in place of Mr. Marzullo who had an excused absence.

Roll found: Dermody, Powell, Schneider, McCarthy and Kalina.

Also in the audience were Trustee Schulte, Fiscal Officer Martha Catherwood, Zoning Inspector Tom Wilson, George Smerigan (Tactical Planning), David Hartt (CT Consultants), Scott James, Gary Wolny, Marybeth Zajac, Nancy Mucha, Louie Zajac, Preston Zajac, David Terry, William Athens, Majeed Makhoulf, Carole Bennett and Bud Bennett.

Int. Ch. Dermody stated that the review and acceptance of the 05/03/2018 Zoning Commission Meeting Minutes will be tabled until the next regular meeting.

With there being no Old Business, Int. Ch. Dermody asked if everyone had a chance to review the documents submitted on the concept plan for The Hollow at Willow Lakes Sub-Division. Int. Ch. Dermody asked if there were any representatives and/or residents who wished to comment on The Hollow at Willow Lakes Sub-Division. With no comments, she asked the Commission if they had any comments.

Mr. Kalina asked what the status was for Lot Number One as he was unclear as to the builders plans for that lot since there are current buildings on it. Although it was the understanding from Trustee Schulte that the Fire Department was going to be contacted to use it for a training burn class, according to Mr. Schneider, the buildings had already been torn down. Mr. Schneider also commented on the safety of the entrance road coming out of the sub-division onto W. 130th St. Trustee Schulte said that issue will be discussed at the Conceptual Meeting on June 20, 2018 since the County has jurisdiction over that road. Mr. Wilson also commented on the location of the ponds on Lots Number 2 and Number 21 since the pond locations don't conform to the 55 feet from the street right-of-way but stated that his comments have already been submitted to the Medina County Planning Services. There was additional discussion as to the front yard location of the ponds and Mr. Wilson said he would look into it.

With no further discussion, Int. Ch. Dermody returned to the agenda to discuss the David Terry submittal of a Text and Map Amendment Request (Senior Housing Planned Unit Development). Int. Ch. Dermody said that Mr. Hartt, Senior Advisor from CT Consultants was going to give a presentation.

Int. Ch. Dermody asked Mr. Hartt if he had additional handouts. Mr. Hartt said he did and that they were in response to questions raised at the Trustees meeting. The new documents include:

- What they think is the market for the project
- What the project is that they envision
- Their view of why the Financial Feasibility under the current zoning is not working

Mr. Hartt presented the documents to the Zoning Commission with additional copies to be time-stamped and distributed. He said that this is more like a supplement to the original application. When

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the Commission had the opportunity to review the new documents, Mr. Hartt continued with his presentation.

Mr. Hartt introduced the rest of the members of the team:

- Bill Athens, realtor on the project
- David Terry, principal
- Majeed Makhoulouf, attorney from Berns, Ockner and Greenberger
- Marybeth Zajac, property owner
- Nancy Mucha, property owner

Mr. Hartt said that the goal for this meeting was threefold with the desire to happen concurrently:

- The adoption of a new zoning district at Route 303 & West 130th Street Senior Housing Planned Unit Development District being submitted pursuant to Section 519.021 (B)
- The rezoning of the 60-acre parcel on Center Road to the new Senior Housing PUD District
- Approval of a Concept Plan for Senior Housing (not to pre-empt the preliminary plan but to give everyone an understanding of their interpretation).

Mr. Hartt stated that there are a few Zoning Texts that need to be tweaked that were outlined in the 5/3/18 meeting. And their expectation and hope are that all three requests will be submitted to the Medina County Planning Services tonight. Mr. Hartt stated:

- There will be an increase of the open space from 30% to 45% to give them a little wiggle room from the Concept Plan to the Final Plan
- The front yard set back will be 30 feet instead of 40 feet to get a little more clustering with a little more open space
- They reviewed the Zoning Regulations and they are open to the possibility of changing the streets from public streets to private streets creating a more maintenance free environment

Mr. Hartt explained the Summary of the Potential Target Market Chart on page 6.1:

- 55-64 age group and why that particular group was targeted
- Hinckley residents in this age group are more desirable to downsize while remain living in the Township and still living in a single family home
- The homes would cost between \$375,000.00 and \$450,000.00
- There are no guarantees that the potential buyers will be strictly from Hinckley and may come from other communities
- There was discussion concerning other "like" communities in Northeast Ohio
- There was a question as to whether a study of Hinckley Residents was conducted as to the desirability of a community of this type

Mr. Hartt stated that they have previously made the statement that developing this property under the 2 acre zoning with sewer and water is not economically feasible. He went on to explain the Economic Feasibility Analysis Chart found on page 6.4 and 6.5:

- Minimum lot prices just based on the Construction Costs
- Minimum lot prices based on Construction Costs and the County's Appraised Value of the land
- Minimum lot prices based on Construction Costs, the County's Appraised Value of the Land and the Allowance for a 15% profit

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- The real estate fees are based on the market price
- Mr. Hartt said that they believe the County's Appraised Value of the land is too low
- Although the calculations are based on 21 lots (page 7), one of those lots is undesirable, non-buildable which is closest to Route 303 so there may only be 20 buildable lots
- The estimated construction costs appear on the chart on page 6.5

A discussion ensued concerning the charts presented in the new documents:

- Mr. Hartt said that the Pavluk's have received 5 offers this year and all walked away due to the Township's 2 acre per lot requirement and/or they did not want to go through the re-zoning process
- Mr. Hartt referred to the Map on Page 6.8
- Mr. Hartt stated that it is typical and hard to sell higher value properties in lower value areas
- Mr. Powell asked if the status of Legacy was known since it is a development with 2+ acre lots; Trustee Schulte said the developer said there are two properties left to sell
- Mr. Hartt said that it is not a very interesting site
- Int. Ch. Dermody asked why they think the lot values are so much higher even though they feel it is a sub-standard site and the County has appraised the land at a lower value
- Mr. Terry said land has a better value if there is sewer and water
- Mr. Hartt stated that they can't make the value work with the 2 acre requirement
- Mr. Terry stated that if you take the number of \$29,000.00 an acre, it would increase the number by \$61,000 per lot
- Mr. Hartt said they would assume paying the value if the rezoning is granted – this is the key
- Mr. Hartt said that you have to look at the County's appraisal and what the family has previously been offered
- Mr. Hartt restated that the figures are based on 21 lots but they may have to remove one lot so they won't be getting the full land value
- Mr. Hartt added that any additional changes to the lay-out like road connections, lengthening of streets, etc. could end up reducing the number of lots making feasibility even worse

Mr. Schneider began a discussion concerning the long-range plan for the senior housing and the Comprehensive Plan:

- Is there really a need for this type of senior housing
- Don't feel that the residents feel having water and sewer is important
- 60% of the residents want to retain the 2 acre lots
- The Hinckley residents want to retain the rural environment
- No one was unsatisfied with the quality of life in Hinckley
- Since the land was farmland is it saturated with chemicals
- Mr. Terry said they only grew hay on the land; no produce was grown that needed to be sprayed

Mr. Hartt said he "understood the sentiments of the community but the issue is on this unique parcel and it is cocooned as opposed to other parcels that are subject to sewer and water. One, is it reasonable to expect this property to feasibly and economically to build under the 2 acre zoning? We're saying no. And if the answer is no then you have a responsibility to give reasonable economic development, reasonable economic use of the land. You have the responsibility to do that. And then

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the second part is related to the senior housing is the trade-off because the location for senior housing now are in the commercial districts." Mr. Hartt continued by saying, "This is a great way of meeting the Townships long standing objective of senior housing in a way as close to the character of Hinckley as possible. With relatively more density, single family, senior housing for those who want to move from larger homes and still stay in a single family home."

Mr. Schneider asked why a senior would downsize to an expensive housing and a smaller lot. Mr. Hartt said they feel seniors in the targeted age group will be willing to downsize for more money with less homeowner responsibilities.

Mr. Powell asked what would be special about this development that would make him to want to move there. Mr. Hartt said there would be a master on the first floor. Mr. Terry gave a personal example of how he and his wife want to downsize to a smaller home because of the size of his current house and property. He said that the development will probably offer 3 to 4 model homes; some will be one story, others will have 2 stories. However, he feels most seniors would not want that big of a house but you want to leave the door open. Continued discussion on the size of the houses ensued including lawn care and snow removal which would be included, especially if the street was made private. Mr. Terry said this development is not for everyone but would be geared toward the more active senior owner.

Mr. Smerigan suggested that in light of just receiving new documentation, some of these details can be hashed out at the public hearing. He asked Mr. Hartt if he will officially supplement their application at this point. Mr. Hartt said he would but he reserved the right to submit additional information and documents if warranted.

Mr. Smerigan suggested the next step in this process is for the Zoning Commission to set a public hearing and the documentation needs to be sent to the Medina County Planning Services. He and Int. Ch. Dermody were in agreement that the Zoning Commission will act on the Text Amendment Changes and the Map Amendment Changes but they will not act on the Concept Development Plan since, depending on what happens with the Text and Map Amendment changes, the Concept Development Plan may or may not have any value. Mr. Smerigan recommended that a motion should be made to schedule a public hearing and to send the application to Medina County Planning Services for their review and comment.

After further discussion it was suggested that in order to do due diligence, the formal process needs to be started for the Text and Map Amendment changes and the Development Plan will be discussed at the Public Hearing.

Mr. Terry stated that he would do research on other "like" developments in Hudson, Medina and Westlake.

Int. Ch. Dermody asked if it was in the opinion of the Board to go forward with scheduling a Public Hearing.

Int. Ch. Dermody said that she would entertain a motion for the Hinckley Township Zoning Commission to submit the Text Amendment and Map Amendment changes to the Medina County Planning Services.

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Int. Ch. Dermody said the motion on the table is to move forward with the Text Amendment and Map Amendment changes to the Medina County Planning Services.

- Motion was made by Mr. McCarthy
- Seconded by Mr. Kalina
- No further discussion
- Roll was called

VOTE: Kalina – Yes, McCarthy – yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody said that the motion has passed and she will send the Text Amendment and Map Amendment Changes to the Medina County Planning Services.

Int. Ch. Dermody said that she would entertain a motion for the Hinckley Township Zoning Commission to schedule a Public Hearing for July 12, 2018 at 6:30 pm for the Text and Map Amendment Request and the Concept Plan for the Senior Housing.

Prior to the vote, a discussion continued concerning what will be on the agenda for the Public Hearing. Mr. Smerigan said that Mr. Hartt will make a presentation; the public will be given an opportunity to make comments and then the Zoning Commission will look at the value of making the text amendments. It will not be about the Concept Plan; it will only be reviewing the text amendments with the public.

Mr. Hartt stated that he had hoped the Concept Plan would have been approved tonight too since their desire was to approve all three requests concurrently. But he would like to be able to discuss the Concept Plan at the Public Hearing at least as a visual for the public to see why there is a need for the amendment changes.

Int. Ch. Dermody said the motion on the table is to move forward with having the Public Hearing on July 12, 2018 at 6:30 pm.

- Motion was made by Mr. McCarthy
- Seconded by Mr. Powell
- No further discussion
- Roll was called

VOTE: Kalina – Yes, McCarthy – yes, Schneider – Yes, Powell – Yes, Dermody – Yes

Int. Ch. Dermody said that the motion has passed and the Public Hearing for the Text and Map Amendment changes will be held on July 12, 2018 at 6:30 p.m.

Int. Ch. Dermody asked if anyone from the floor wanted to speak. No one did.

Int. Ch. Dermody returned to the agenda and asked if there was a Vice-Ch. report. Int. Vice-Ch. Powell said he had nothing to report. Int. Ch. Dermody had nothing to report. There were no reports from the other Board Members.

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Mr. Schneider said as he was reviewing the documents he noticed proposed language that points out stub streets and parcel property being added to the 60 acres in the future. A short discussion ensued with Mr. Smerigan and it was noted that the Zoning Commission should revisit this issue when reviewing the text proposal.

There was discussion as to when the next regular meeting will be held and it was concluded, due to the July 4th Holiday, there would be no regular meeting on 7/5/18 and the next regular meeting will be Thursday August 2, 2018 at 7:00 p.m.

Int. Ch. Dermody asked Zoning Inspector Wilson if he had anything to report. Mr. Wilson said he received a letter from Joe Gallo of Buzzard Cove who submitted a business plan for his Barn which is currently only used as a Haunted Barn in the fall. He would like to utilize the Barn year-round by using it for birthday events, business events, laser tag, escape rooms, special forces training and other like activities. A discussion ensued and it was agreed that Mr. Wilson's interpretation was correct, since it is zoned for B-1; nothing in his plan violates the regulations. Mr. Kalina added that any other issues can be addressed when he comes in for a Zoning Permit. Mr. Wilson finished by saying that there may be something coming down the way concerning the Willow Lakes Sub-Division.

Int. Ch. Dermody passed out the minutes to the 05/03/18 Regular Meeting. She also passed out the - 5/30/18 Revised Text Amendments to the Hinckley Township Zoning Regulations.

Int. Ch. Dermody asked Trustee Schulte if he had any comments. Trustee Schulte said that there was going to be Agricultural Zoning Seminar that will be held in Montville on 10/18/18. He said he would email additional information when it is forthcoming.

Int. Ch. Dermody said the next Zoning Commission Regular Meeting will be held on Thursday August 2, 2018 at 7:00 pm.

Int. Ch. Dermody stated that she would entertain a Motion to adjourn the Zoning Commission Regular Meeting.

- Motion was made by Mr. Powell
- Seconded by Mr. Kalina
- No further discussion
- Roll was called

VOTE: Kalina – Yes, McCarthy – Yes, Schneider – Yes, Powell– Yes, Dermody - Yes

The Zoning Commission meeting was adjourned at 8:26 p.m.

Carolyn Chism, Recording Secretary

Minutes Approved: _____, 2018

Diane Dermody, Int. Chairman

Calvin Powell, Int. Vice-Chairman

Bruce Schneider, Member

Sean McCarthy, Alternate

Christopher Kalina, Alternate