



MEDINA COUNTY DEPARTMENT OF PLANNING SERVICES

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MEDINA COUNTY PLANNING COMMISSION MEETING MINUTES WEDNESDAY, MAY 4, 2022, 6:30 P.M.

Guests:

Monique Ascherl, Hinckley Township Trustee
Michele Crew
Johnathan Easton, Brentlinger
Marcus Fischer, Hinckley Township ZC Chair
Tom Guggenbiller, Harrisville Township
Jim Larson, Hinckley Resident
David Lewis, Lewis Land Professionals
Jeremy Sack, Davey Resource Group

MCDPS Staff:

Cheryl Heinly, Administrative Assistant
Rob Henwood, Senior Planner
Denise Testa, Director

Board President Jeff Brandon called the meeting to order at 6:30 p.m.

I. ROLL CALL

MCPC Members:

Sally Albrecht
Melissa Augustine
Jeff Brandon, President
David Cleckner
Jessica Hazeltine
Pat Ryan, Vice President

MCPC Alternates:

Adam Esker (alternate for Steve Hambley)
Tom James (alternate for William Hutson)
Cliff Nowak (alternate for Colleen Swedyk), 2nd Vice President
Matt Sturgeon (alternate for Sue Frey)

II. MINUTES

Board President Brandon asked if there were any questions or comments on the April 6, 2022 minutes. There were none.

Board Member Nowak moved to approve the April 6, 2022 minutes as presented. Board Member Augustine seconded the motion. Board Member Sturgeon abstained. All other members voted AYE and the motion was approved.

III. CORRESPONDENCE

There were no items on Correspondence.

IV. CONSENT CALENDAR

There were no items on Consent Calendar.

V. OLD BUSINESS

There were no items on Old Business.

VI. NEW BUSINESS

a. Symphony Way, Preliminary Plan, Sharon Township, 034-2022 PP

Ms. Testa presented the above staff report and noted the 1988 recorded plat was attached to the staff report rather than the current replat.

Discussion:

Board President Brandon asked if there were any comments or questions and there were none.

David Lewis, Lewis Land Professionals, stated that he would answer any questions. He said they are showing a storm quality basin being constructed on one subplot. All the runoff from the cul-de-sac pavement would go through the water quality basin. He stated that the septic systems are approved and that the spray was on a temporarily approved basis at the State level. Mr. Lewis said they showed the mound system just in case they modified the requirements for the spray systems. Planning Director Testa asked if he had worked with Steve Mazak from the Health Department. Mr. Lewis said yes.

Board Member James moved to approve the staff recommendation of Approval with Modifications for Symphony Way Preliminary Plan. Board Member Hazeltine seconded the motion. All members voted AYE and the motion was approved.

b. Redwood Shumay, Final Plat, Brunswick Hills Township, 035-2022 FP

Mr. Henwood presented the above staff report.

Discussion:

Board President Brandon asked if there were any comments or questions.

Board Member Nowak questioned what would happen to the lake and if it would remain. Rob Henwood, Senior Planner, answered that yes it would be staying and would be used as retention and detention. Jeremy Sack, Davey Resource Group, said that Cleveland Water has given their approval and he will forward that onto the Planning staff.

Board Member Calaway questioned if the sanitary was gravity and fed to the main. Mr. Sack said yes and thought there was one manhole that was public which is why the Sanitary Engineers had to sign off on the Plat.

Board Member Nowak moved to approve the staff recommendation of Approval with Modifications for Redwood Shumay Final Plat. Board Member Albrecht seconded the motion. All members voted AYE and the motion was approved.

c. **Brentlinger, Large Lot Development, Harrisville Township, 025-2022**

Mr. Henwood presented the above staff report.

Discussion:

Board President Brandon asked if there were any comments or questions.

Johnathan Easton, representing the applicant, informed the Board that he had received the site evaluations from the Health Department. He asked if at some point he could get an explanation between a minor lot split and a large lot development. Planning Director Testa said she would be happy to do that. Tom Guggenbiller, Harrisville Township Zoning Inspector, said there are other land locked parcels in the township. He said they would need a turnaround for emergency vehicles. Planning Director Testa called the fire chief from Lodi as that was one of her questions and he did not have any concerns. Mr. Guggenbiller said they are changing the code to require a bypass instead of a turnaround because trucks are getting so big.

Board President Brandon asked if there were any other comments or questions, there were none.

Board Member Ryan moved to approve the staff recommendation of Approval for the Brentlinger Large Lot Development. Board Member Calaway seconded the motion. All members voted AYE and the motion was approved.

d. **Harrisville Township Text Amendment, 037-2022 TA**

Ms. Testa presented the above staff report.

Discussion:

Tom Guggenbiller, Harrisville Township Zoning Inspector, stated they would probably leave the fencing alone.

Board President Brandon asked if there were any other comments or questions.

Board Member James moved to approve the staff recommendation of Approval with Modifications for the Harrisville Township Text Amendment. Board Member Esker seconded the motion. All members voted AYE and the motion was approved.

**Board Member Augustine recused herself from the following item as she is a Hinckley Township trustee, 6:50 p.m.

e. **Hinckley Township Map Amendment, 028-2022 MA**

Ms. Testa presented the above staff report.

Discussion:

Board President Brandon questioned the east side sliver and if that was intended to be a buffer zone. Planning Director Testa said it was its own parcel at one point. When the Comprehensive Plan was written she was not sure it was looked at from the parcel level or if it's looked at more as an area. She said that could be why that parcel is not included in the B-2 District.

Marcus Fischer, Hinckley Township Zoning Commission Chair, thought the staff did a nice job with the staff report to articulate the factors that support this change. He stated that there was a concern this would create excess vacancy and there is no current plan for the building so the township does not know what will happen if it does get rezoned. There was also a concern regarding water and sewer usage at this parcel. Mr. Fischer said directly to the east to this parcel there are individual home owners and next to that is a subdivision that will be going in most likely Kubala Farms. He said between those two items he is concerned about the septic and the well system. Between the potential well he draws from and the potential rezoning that is a concern. Mr. Fischer said there are existing buildings and a parking lot on the parcel. He said they always look to see if they are going to make those legal non-conforming lots. Right now, there is a parking lot that is too close (10-foot) to the residential district and it should be a 25 or 30-foot buffer on the east side. Mr. Fischer stated they also to not meet the landscaping requirements for the B-2 district.

Jim Larsen, resident, questioned if the Board were to approve or to decline the amendment and the township went in opposition of what staff recommended, would that be a realistic possibility that the township could follow their own decision. Planning Director Testa answered that the staff is just a recommendation and advisory so the township could follow it or not. The zoning commission makes their recommendation to the trustees who then make the final decision. Board President Brandon stated we are another set of eyes. Mr. Larsen asked how many Planning Board members there are. Planning Director Testa said eleven members and eleven alternates. Mr. Larsen asked what would happen in the event of a tie. Planning Director Testa said if there is a tie it will fail.

Mr. Larsen read his comments into the record which are attached to the minutes.

Monique Ascherl, Hinckley Township Trustee, did not feel money was a valid reason to rezone this parcel. She has been thinking how the township would benefit because she has not seen it and she has not found anyone that is for (the rezoning). She brought copies of emails from residents opposed to the rezoning. She also pointed out that the Future Land Use Map was not the whole property and went all the way through. Planning Director Testa reiterated that it was mentioned in the staff report. Trustee

Ascherl said the Comprehensive Plan said they want to enhance and not to expand the business zone.

Board Member Albrecht questioned the monetary position. Planning Director Testa answered that typically staff does not consider the monetary position because it is not relevant. If someone comes to staff with future plans and what they want to build, Planning does not regulate what they are going to build in the future. Planning makes recommendations for the township's consideration. Planning Director Testa said that their reason for rezoning is irrelevant to the staff. She said it is the township submitting the application to the Planning Department.

Board Member Albrecht questioned if there was anyone for the zoning change. Marcus Fischer 13 people at the public hearing were against and two had no opinion. Board Member Ryan asked if the school were to tear it down what would they get out of it. She added it could be very expensive given asbestos abatement to make it "shovel ready."

Cindy Engleman, read her comments into the record which are attached to the minutes. Planning Director Testa said it does not appear that B-2 is commercial. Mr. Fischer confirmed that it is a business use. Board Member Hazeltine said regardless of what the board decides tonight ultimately the decision lies with the trustees. Planning Director Testa said that was correct.

Board Member Ryan commented on the two little sections to the south of the property and the reason it that the zoning districts used to be done by measurements and it had no regard for parcel lines so that is how the slivers occurred. In time it started to rezone by parcel and if this is approved by the trustees, they should look at cleaning it up and getting rid of those two little R-1 parcels.

Board Member Kalina commented that he could not put a number on how many times that a commission he served on voted against the Planning Commission's recommendation. Mr. Henwood said many. Board Member Kalina said it is a recommendation; however, all township zoning is done in accordance with the Comprehensive Plan. Board President Brandon asked Board Member Kalina when the last Comprehensive Plan was approved. Board Member Kalina said it was in 2015. Board Member Albrecht asked if their position was, they believe their Comprehensive Plan can accommodate the change in zoning. Board Member Kalina answered that it appears that was the recommendation while indicating a desire for some expansion while keeping the small town character.

Board Member Hazeltine questioned if this amendment was time sensitive. She would like to see what the new Comprehensive Plan says before she would decide anything. Planning Director Testa said they are required to make a recommendation. Board Member Hazeltine stated she would recommend yes because it goes with the current Comprehensive Plan but as a trustee and responsible to the residents, she would probably vote no. Board Member Hazeltine asked if the trustees were able to wait until after the Comprehensive Plan was completed. Board Member Kalina said that was a question they would have to discuss with their legal counsel. Planning Director Testa informed them that there is a time limit that they have to take action, but she understood why she was asking.

Board Member James stated that the property owner has requested a zoning change and they have a right to do that no matter the motivation. He said the roll of this Commission is to look at what has been requested as it fits with the Comprehensive Plan which it primarily fits. He harkens this back to Wadsworth Township where they came in for a map amendment and our board approved it and the trustees turned it down. He said it is difficult as a member of the Commission to say to not approve based on the information even though there are comments they have received that the community does not want this change. Board Member James said that is not a factor in the legality of the request before the Commission. He said the Board has to look at the facts presented and how that fits with the Comprehensive Plan. He wanted to make sure everyone understood the framework that they were dealing with.

Jim Larsen questioned out of all the cases recalled by the staff and Board, how many have resulted in the applicant suing the township which he thought was the number one thing the trustees do not want. Rob Henwood mentioned there was one court case which was referenced by Board Member Kalina. Board Member Kalina said that was a little different in that the Comprehensive Plan was integrated into the Zoning Resolution. He said in the 25 years of turning down rezoning requests from a township, this Board has approved and has never resulted in any lawsuit.

Board Member Hazeltine said at this point it is becoming a circular redundant argument or commentary throughout the room. She said this Commission is bound to follow the current Comprehensive Plan and it seems to her very clear that the recommendation must go forward because it does follow the Comprehensive Plan. Once it goes to the trustees that is where they would step in and deny it. Michelle Crew, resident, disagreed that it follows with the Comprehensive Plan and that it is an interpretation of the Comprehensive Plan. She believed there are many others who read it a lot differently so it is the perception of the reader on whether or not it falls into the Comprehensive Plan. Board Member Hazeltine said that “enhance” is very broad and was very poor language to put in the Comprehensive Plan.

Cindy Englehart, resident, brought up Chapter three, objectives CI one, two, and three because the chapter introductions say it is, “improved town center but limited expansion...” Board Member Kalina said he does not know how to else to interpret the word “expansion.” He read from page 21 of the Comprehensive Plan.

Board Member James thought the map was a problem for the Board. He added this is not binding on the trustees. Board Member Hazeltine said each deciding body is governed by different rules and restrictions so it would be her interpretation that the Planning Commission would approve and the trustees would probably deny. Board Member Albrecht suggested a roll call vote.

Board Member Cleckner moved to approve the staff recommendation of Approval for the Hinckley Township Map Amendment. Board Member Ryan seconded the motion. Roll call vote was taken. Board Members Sturgeon, Albrecht, Cleckner, Esker, James, Nowak, Ryan, Hazeltine and Kalina all voted AYE. Board President Brandon and Board Member Calaway voted NAY. The motion passes for Approval 9 AYES and 2 NAYS.

VII. PLANNING DIRECTOR'S REPORT

Ms. Testa distributed the most recent recommended revisions of the Medina County Subdivision Regulations. She will be sending this out in electronic format when she sends to the townships and the stakeholders. She said there was quite a bit of discussion around Soil and Water Conservation District so the Board might be seeing some additional information regarding that. There was discussion regarding eliminating the preapplication meeting as a requirement for the subdivision process as applicants do not take advantage of that. The next meeting will be May 25th.

Ms. Testa updated the Board regarding the upcoming Concept Plan meeting in April, which will be in Hinckley Township called Stoney Hill. She said for the June Planning Commission agenda there are five subdivision items and two amendments. She informed them that the next township association meeting is May 19th with Mike Kovack as the guest speaker. There will be some educational opportunities coming up which Board President Brandon will be sending out. Lafayette Fire Station has volunteered to host the workshops so the Board will be kept informed and hopefully some of the township representatives will be interested. Board Member Hazeltine asked what some of the topics were. Planning Director Testa said when the email is sent, they will be asking for recommendations on topics and they want to see if there are any patterns so they can hit the main themes among all the townships. Board President Brandon added that there are a lot of new trustees.

Board Member Kalina asked if there was any discussion regarding 'detention vs retention basins. Board Member Albrecht said hopefully it will with watershed mitigation. Ms. Testa stated the County is currently undergoing a reorganization of the stormwater management administration so she would make a note of that for the work group to consider. She said maybe one of the topics should be stormwater management.

VIII. PUBLIC PARTICIPATION


There was no Public Participation.


X. OTHER BUSINESS

There were no items on Other Business.

XI. ADJOURNMENT

There being no further business to discuss, President Brandon adjourned the meeting at 7:57 p.m.


Jeff Brandon, President


Cheryl Heinly, Administrative Assistant

Good evening.

My name is Cindy Engleman and I am a resident of Hinckley.

I also serve on the Township's Zoning Commission as an Alternate Member; however, I am here tonight speaking as a resident.

The Hinckley Town Center B-2 Zoning District represents .45% of the township's total land area. That is less than 1%. (p 30 of 2015 Comprehensive Plan). Taking an aerial view, it seems small and trivial and boundaries may seem inconsequential. The 2015 Comprehensive Plan recommended future land use development to be consistent with its figure LU.10; however, realistically and practically things are different. The boundaries are not definitive in the Plan, only high level.

FOR ONE, the northwest corner for Town Center was suggested to be expanded, but in fact residential housing has been built on most of that land.

SECOND, the vertical line drawn on the southeast corner of Town Center in the 2015 Plan is arbitrary and defective. In particular, the lot immediately adjacent to the west and south of the Board of Education property has been bifurcated into B-2 and R-1, leaving the R-1 portion landlocked. (For reference this property is currently residential, albeit non-conforming). Rezoning the Board of Education property into B-2 ensures that in perpetuity. Seriously, is this how we want to plan the Hinckley Town Center area.

THIRD, significant residential development is taking place directly east. Not only are there immediate adjacent R-1 properties, but the Kubala Farms development will envelope the entire east and southeast sides with upscale homes on large lots.

FOURTH, decisions must be viewed in the context of the entire 2015 Comprehensive Plan, not just one paragraph. One must look also to including LU.2 Key Themes (3) which states to "enhance town center" – it does not state enlarge town center; Chapter 2 Key Themes (3) which states "improve Town Center, but limit expansion;" and Chapter 3 objectives CI.1, CI.2 and CI.3 which discuss those improvements in more detail.

FINALLY, one must consider how things existed in 2015 to understand the Plan's context. In 2015, when the plan was adopted, Hinckley elementary school property was going to continue to be school property, meaning continue to be R-1.

At that time the Board of Education was only exploring its options and it was not until 2017 that they went out for a millage to build three new elementary schools

replacing all existing buildings. Even so in 2017 it was articulated that the new buildings would be located on existing property. It was and still is stated that all three old buildings would be “abated and demolished... and the costs associated with this process is included” (FAQ on website). In other words, these are sunk costs that were tied to the 2017 millage calculation.

The Board of Education rues that it will make more money by rezoning. It states that the property is more valuable with the school building on it – the very building that was abandoned and deemed in great disrepair after outside analysis. Things such as heating, flooding, drainage, leaky aged plumbing, crumbling walls, falling ceiling tiles, inadequate and retrofitted electrical systems were among those things cited.

It seems to me the Board of Education needs to complete its plan and demolish Hinckley elementary. The cost of demolition was part of the 2017 millage.

Then put the property up for sale. And if there is a commercial buyer, then approach the township about rezoning so the township may evaluate such a request in conformance with the character and image of the Town Center, and as the applicant states, to see if it “benefits” the township.

Minimally, this request is premature for review. Further, it needs to be more thoroughly reviewed in the context of the entire 2015 Comprehensive Plan, in conjunction with developments since the 2015 Comprehensive Plan was adopted.

From my perspective, maintaining the property at R-1 is in proper keeping with the location, whether as one lot or subdivided.

Thank you.

School Rezone

As the school boards spokesmen, Mr. Wolny has said on several occasion's, the boards purpose in asking for a rezone of their property is only to increase its value. They aren't interested about what this property would be used for after it's sold, what the impact of that development would be on township, or the surrounding area and neighbors. They are interested in maximizing profit at the townships expense.

The Zoning Commission, the Trustees, and most of all the residents, do care. They're the ones best suited to make this decision; not ~~your~~ staff who has recommended you approve the change, and who only considered input from the Boards spokesman. The often referenced Comprehensive Plan is a factor in the decision making process but it is only a recommendation, not a mandate. Interestingly, when Mr. Wolny originally presented this Plan to the Trustees, he never mentioned the Comprehensive Plan. Subsequent presentations he got much better coaching.

The downtown center since the CP was introduced in 2015 hasn't seen a single new business structure established since the plan was approved. Not one. Part of the reasons are simple. There is no demand for it. There is virtually no parking for any of the businesses that do operate there, inadequate sidewalks and street lights, and no capital budget exists to remedy these significant defects. Thus, the attractiveness to build, or buy and rehab any structures is minimal at best. The existing mix of businesses and buildings offer almost no attractiveness to build near them.

So what is the necessity of adding more B2 district to an area that already has plenty of area, and no activity?

The current zoning maintains the predominantly rural character of the Township with the potential for complimentary uses which has been the mantra of this Township for years and is what has kept and attracted new residents. To surrender yet another piece of the Township to potential development that is inconsistent with the surrounding area, nowhere near the center of town, negatively impacts surrounding neighbors, and is completely unneeded, is the wrong thing to do.

To do it simply to improve its value for an influential and desperate owner is showing them preferential treatment when they don't deserve it or need it. Using the Comprehensive Plan as the sole justification leaves out so many other considerations.

The notion that you are establishing use and development regulations by changing it's zoning that maintains and reinforce a traditional town center, when it is far from the center, is false. The very real possibility that a 12,000 square foot retail use could happen there if the zoning were changed, is a real possibility and something few residents would want to see. We didn't move here to shop and the trade needs of the Township residents are minimal.

Item F in the recommendation is the most the incomprehensible of all. “..which reinforce the existing pattern and character of development.” There hasn’t been any pattern of development, so why would this location be any different?

↓
Commercial

Once again, the CP is being used to bring something we don’t need to a location we don’t want. We have seen the grotesque unintended consequences that happen when a fair sounding idea like “senior housing” is used to rezone and add a new use, in an area originally intended for retail and light industrial. A huge apartment complex that residents never imagined, destruction of hundreds of mature trees, for a development likely only to attract those who don’t live in Hinckley. Few resident’s other than landowners want to see another one.

↓ those

The Township is currently reviewing the Comprehensive Plan because of outcomes just like this. This project was such an affront to so many of us, that the Township started a review process to try and control the unintended consequences the Comprehensive Plan has made possible. It’s unlikely that there will be any substantive changes without redoing the entire Plan which is three years away.

Developers are only interested in profit and care little about maintaining the township which created the value they wish to exploit and in a state that attracted all of us here in the first place. They will look for any weakness in the plan and take advantage of it, and have.

I urge you to turn down this application, or better yet let the Trustees, the Zoning Commission, and the residents determine what’s the correct zoning for the old school; collectively we know what’s best. Not an owner who cares only about increasing the value of their property through a zoning change, and little about the potential consequences to the Township this change would bring.

Comments to the MCPC at the May 4th Public Hearing

Richard Pearl – 1785 King Road -- I am unable to attend your meeting, but as a concerned Hinckley resident I wanted to submit some written comments for consideration. It should take only a few minutes to read these comments.

Gosh – what an unusual application for rezoning. We have this desirable, flat parcel near our Town Center with an abandoned, blighted, sprawling building sitting in the middle of it. The building has had many additions over the last 90+ years and is the largest building square foot-wise in a residential or business district in all of Hinckley.

The Application

The Highland Board's application stated reason for the requested rezoning change is to **maximize the profit** from the sale of the property. They have no intention of developing the property; they simply want to change the zoning before they sell it. That's an unusual request motivated only by profit!

The application states and I quote: *"We are requesting to be moved to the Business Zone (B2) that we are **surrounded** by..."*.

The application further states and I quote: *"The township would benefit in having a contiguous B2 district"*. Any "benefit" to the township is debatable.

I question where these statements are leading the Commission. This district currently already has a contiguous border, and the Hinckley Zoning District Map shows this property adjoining B-2 properties only on the north border and on the west border. This property is not **surrounded** by the B-2 Business District as stated in the application.

The Staff Report

This inaccuracy carries over into the staff report where on page one it indicates: the Adjacent Zoning/Land Use on the south is B-2 and R-1. That's incorrect – the zoning on the adjacent land to the south is all R-1.

The Staff Comments on page 3 states: The subject site is surrounded on nearly (?) three sides by the B-2 Hinckley Town Center zoning district. The facts are the parcel is surrounded on two sides, the north and the west by B-2, and is bordered on the east and south by residential districts. These continued exaggerations are leading the approval decision.

We recognize the Planning Commission must consider the property's relationship to surrounding parcels with little focus on any structures on the property. Also, the Commission has a responsibility to look at the Hinckley 2003 Master Policy Plan and the 2015 Comprehensive Plan to understand the direction the residents want for zoning changes and business development.

1. Both the 2003 and 2015 Plans revolve around preserving the rural characteristics of Hinckley. The Plans talk about inevitable residential and business expansion to support the tax base, and both Plans have a high focus on protecting the rural aesthetics of Hinckley.

2. The Hinckley 2003 Master Policy Plan does not contain a Future Land Use Map; however, Chapter 6 Implementation Strategies on page 57 reads: *"Zoning Map Amendments - This policy guide includes suggestions for rezoning selected and limited locations from R-1 to another zoning classification. The*

*general manner in which rezoning should take place is in response to a property owners request, **and only when it has been demonstrated that the expansion of nonresidential zoning is warranted from a market demand standpoint.*** (The bolding and underline were added to emphasize the will of the residents.)

3. The Hinckley 2015 Comprehensive Plan, in my opinion, is defective - my apologies to the trustees that approved this Plan: The Plan contains a Future Land Use Map that shows some of this lot is recommended for zoning in the B-2 Hinckley Town Center District. It also shows part of the parcel is in an area recommended to remain R-1; that area on the east border is over an acre. Maybe not a big thing, but it shows the borders of the map were poorly drawn and begins to question the validity of the map and its intention.

4. The 2015 Comprehensive Plan is defective in other ways: It contains a section on "Structure" beginning on page 10 that states on page 11: "*CHAPTER 8 – This chapter outlines the implementation strategy to aid in the fulfillment of the Comprehensive Plan's recommendations. This chapter provides guidance on how the Plan should be used and when it should be updated and amended. This chapter also summarizes and prioritizes the recommendations made for each Plan component.*"

Unfortunately, the 2015 Plan is not divided into numbered chapters and Chapter 8 is nowhere to be found. This document was created by OHM and their name appears on page 2 "Acknowledgements". I questioned Arthur Schmidt of OHM by email about this in mid-April and he agrees there is no Chapter 8.

5. The Historic Town Center area already have an excess of undeveloped B-2 lots for sale including many lots still used for residential. Approving this application would add another blighted business building to our community and it would instantly become a nonconforming lot with respect to minimum parking setbacks and landscaping and screening requirements for B-2 parcels. It could sit like this undeveloped in a blighted condition for years if purchased for speculation.

6. The Steering Committee appointed by our trustees is currently conducting an audit of the 2015 Plan and have received zero comments from residents wanting to expand the Historic Town Center business area. To the contrary, the Steering Committee is hearing resident's desires to perhaps develop architectural design standards to unify the existing Town Center where possible.

Summary and Conclusion

While I have mentioned many small anomalies for the staff to consider, the Commission could approve the application with modifications such as removing the building and infrastructure before full approval. That would help protect the rural characteristics of Hinckley.

If the Commission agrees the 2015 Plan is somewhat defective and misleading, the fallback Plan should be the 2003 Master Policy Plan that clearly states it must be demonstrated "that the expansion of nonresidential zoning is warranted from a market demand standpoint." Compare that desire by the residents to the stated reason on the application - "the school district will lose the opportunity to obtain as much as possible in the sale."

The application clearly has not demonstrated a market demand for additional B-2 property in Hinckley. The staff report found no similar market demand.

Thank you for considering my comments.