

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

October 3, 2017  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Andy Lingenfelter, Chairman  
Morgan McIntosh, Vice Chairman  
Gerard Morgan  
Frank Schindler  
Rich Peterson

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Sydney Martis, Planner/Assistant Zoning Inspector

**Melton Reporting**  
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1 7:00 p.m.

2 CHAIRMAN LINGENFELTER: Good evening. I would like  
3 to call this Concord Township Zoning Commission meeting of  
4 Tuesday, October 3rd to order. We have a relatively light  
5 agenda this evening, a lot of work to do but a light agenda,  
6 not a lot of items on the agenda. We have a work session. The  
7 first item is a work session for the amendments for the  
8 discussion with the Zoning Commission.

9 Basically, what we're doing is we're reviewing some  
10 of the amendments that had been proposed during the last  
11 several months of work that we had done coming up to the  
12 changes in the Discovery Lane, the overlay district. And even  
13 though that has been tabled for now or been rescinded at this  
14 point by the Trustees, we think there were a lot of good pieces  
15 of legislation that were built and a lot of work that was done  
16 and we felt that it would be a waste to just let all that go.  
17 So we decided to forge ahead and get some of this work done  
18 anyway. Whether this ever comes back or not, it doesn't  
19 matter. There is still some good information that was put  
20 together in this, in this work and we would like to incorporate  
21 some of that into the zoning text moving forward.

22 So, Heather, would you like to come up and tell us  
23 what you've done? I know you've put -- kind of condensed  
24 everything down, put everything together for us.

25 MS. FREEMAN: Yes. Thank you. Good evening. Okay.  
26 As Mr. Lingenfelter indicated, we wanted to move forward with  
27 some of the other amendments that weren't related to the  
28 IS/PD and the Capital District that were some of the previous  
29 changes. So in your packets, I put together kind of an outline  
30 of discussion of the various sections that we were proposing to

1 modify. We can just kind of briefly go through these.

2 The first section was Section 5, which is the  
3 Definition section. There were a couple of minor modifications  
4 to some existing definitions, such as "church" and "commercial  
5 motor vehicle." And then the bulk of the modifications were  
6 new definitions that we were proposing in relationship to the  
7 Parking section, defining some terms such as "driveway,"  
8 "loading spaces," the actual parking aisle and the parking area  
9 just to tighten up the regulations as it related to parking in  
10 the commercial districts and also in the residential districts.

11 There was a minor change to the definition of  
12 "school," which would include the continuing education  
13 facilities and high tech vocational postsecondary education  
14 facilities as well, and then inclusion of new definitions for  
15 "street," both public and private. And then under the existing  
16 definition of street type, we are including in there the  
17 definition of an alley. And defining what the waiting space or  
18 waiting lane would be, those are more like when you have the  
19 drive-thru facilities. Those are the areas where the cars wait  
20 to do their transaction.

21 While going through this, though, I did notice one  
22 other definition that I was going to suggest that we need to  
23 revise. There was one that was adopted for the term  
24 "microbrewery," and that was effective in February of 2015.  
25 And the definition had referred to the maximum brewing capacity  
26 not to exceed 15,000 gallons per year; however, that should  
27 have been barrels per year.

28 When you're looking at the microbreweries, they  
29 measure in barrels. And we did a little bit more research on  
30 that and, rather than "gallons," it should have been, the term

1 should have been "barrels." So we would like to include that  
2 as one other change. I am sorry it wasn't in your -- what I  
3 had already mailed out to you but it was something I had seen  
4 after we already sent your packets.

5 MR. SCHINDLER: Is that what the state requires?

6 MS. FREEMAN: It's not a state requirement but I  
7 think it's the general, you know, industry. When you're  
8 defining "microbrewery," it's an establishment that brews less  
9 than the 15,000 barrels.

10 MR. SCHINDLER: A term that's standard?

11 MS. FREEMAN: Huh?

12 MR. SCHINDLER: A term that's standard?

13 MS. FREEMAN: Right.

14 MR. SCHINDLER: Thank you.

15 MS. FREEMAN: And that's --

16 CHAIRMAN LINGENFELTER: Well, 15,000, not that I know  
17 much about this --

18 MS. FREEMAN: Okay.

19 MR. SCHINDLER: Yeah, right.

20 CHAIRMAN LINGENFELTER: Fifteen thousand barrels is  
21 substantially more than 15,000 gallons.

22 MR. SCHINDLER: Yeah.

23 CHAIRMAN LINGENFELTER: Because there is 15 gallons  
24 in a half barrel, which is typically the standard of most  
25 measurement in the brewery industry, 15 and a half gallons in a  
26 half barrel. This is just casual knowledge. I really don't --

27 MR. PETERSON: No experience.

28 CHAIRMAN LINGENFELTER: Just something I read the  
29 other day on Google. So when you think about that, I mean,  
30 that that makes a substantial difference between -- So

1 depending on what the Township was looking at from a, you know,  
2 from a control standpoint on the microbrewery's capacity, you  
3 know, 15,000 barrels is 15 times 15 the amount, so it would be  
4 15 times 15,000. So you're talking -- I don't have that math  
5 in my head but it's a pretty big number, so the gallons would  
6 go up substantially.

7 MR. McINTOSH: When you say you based on -- You said  
8 they measure capacity in that industry by barrels. What --  
9 Where does 15,000 barrels fall? Is that considered relatively  
10 small? Is it --

11 MS. FREEMAN: I think 15,000 in the microbrewery is  
12 the upper end.

13 CHAIRMAN LINGENFELTER: That's big.

14 MS. FREEMAN: Actually, I was recent -- Sydney and I  
15 were recently down in Athens for a state planning conference  
16 and we had the opportunity to visit some of the microbreweries  
17 that were down there, and we were at some locations that brewed  
18 as little as 500 barrels a year up to their most popular one  
19 was, they brewed 12,000 barrels a year. And, at that point,  
20 they're like selling them and marketing and packaging them.

21 CHAIRMAN LINGENFELTER: Is that Jackie O's?

22 MS. FREEMAN: Yeah, that's Jackie O's, yeah.

23 CHAIRMAN LINGENFELTER: Yeah, that's a big -- They're  
24 a big operation.

25 MS. FREEMAN: Yeah.

26 CHAIRMAN LINGENFELTER: They have a pretty big  
27 distribution network and they're doing 12,000 barrels.

28 MS. FREEMAN: But I don't believe they were doing --

29 CHAIRMAN LINGENFELTER: Right? So 15,000 barrels,  
30 that's a lot. I mean, that's -- I don't know. I am not sure

1 what, what Great Lakes Brewery does but I am sure 15,000  
2 barrels is, you know -- or what, like, Fat Head's out in North  
3 Olmsted, what they would do.

4 MS. FREEMAN: Okay.

5 CHAIRMAN LINGENFELTER: Those would be some good  
6 breweries to check with what their capacities are.

7 MS. FREEMAN: Okay.

8 CHAIRMAN LINGENFELTER: Yeah, because those are,  
9 those are pretty big. Fifteen thousand barrels is a pretty big  
10 operation, in my opinion, I mean.

11 MS. FREEMAN: Yeah.

12 MR. McINTOSH: Well, from a, from a fit in the  
13 community standpoint, perhaps --

14 CHAIRMAN LINGENFELTER: Right.

15 MR. McINTOSH: -- Fat Head's would be a good one to  
16 compare it to because it's -- it's not more of a main drag but  
17 it's in a -- It has a restaurant. It has -- When we had that  
18 conversation a while back, that's probably a lot closer to what  
19 we're looking at. Whereas, Great Lakes Brew is in a -- that's  
20 in more of an urban environment and their brewing operation is  
21 in an old warehouse that has been a part of that neighborhood  
22 for awhile. So their capacity -- I mean, I don't know.  
23 I mean, it would be interesting to know just from a trivial  
24 standpoint but I think Fat Head's would be a lot closer to what  
25 -- the kind of operation we want to see in the township or, at  
26 least, we wouldn't want anything bigger than that.

27 CHAIRMAN LINGENFELTER: Or Willoughby, or Willoughby  
28 Brewing Company.

29 MR. McINTOSH: Willoughby Brewing Company, too.

30 MS. FREEMAN: Yeah. I'd say, what's --

1           CHAIRMAN LINGENFELTER:  And I'll guarantee Willoughby  
2 Brewing isn't doing anywhere near 15,000 barrels.  I will  
3 guarantee that.  They don't have that big of an operation.

4           MR. McINTOSH:  Yeah.  I mean, that's a good, that's a  
5 good comparison.

6           CHAIRMAN LINGENFELTER:  Those three, those three vats  
7 that are in there, you can see when you go in, that's pretty  
8 much their brewing operation.

9           MR. McINTOSH:  I mean, Great Lakes, yeah, you can  
10 leave the state and find that beer.

11          CHAIRMAN LINGENFELTER:  Right.

12          MR. McINTOSH:  So that's going to be a substantial  
13 operation.

14          CHAIRMAN LINGENFELTER:  Well, and Jackie O's is the  
15 same way.  Jackie O's is a very popular microbrewery down in  
16 Athens and, you know, if they do 12,000 barrels, that's --

17          MR. McINTOSH:  What was their facility like?  How big  
18 would you say it was?

19          CHAIRMAN LINGENFELTER:  It's pretty big.

20          MS. FREEMAN:  What?

21          MR. McINTOSH:  How big was their facility,  
22 Jackie O's?  You said you were there.

23          MS. FREEMAN:  Well, we were in the, the tap side.

24          CHAIRMAN LINGENFELTER:  Right.

25          MS. FREEMAN:  The brewery side.

26          MR. McINTOSH:  Okay.

27          MS. FREEMAN:  So I didn't --

28          CHAIRMAN LINGENFELTER:  It's a pretty big operation.

29          MS. FREEMAN:  Yeah.

30          CHAIRMAN LINGENFELTER:  I've been there.

1 MS. FREEMAN: Yeah. Did you -- Do you remember if  
2 they actually brewed it there?

3 MR. McINTOSH: Where is --

4 CHAIRMAN LINGENFELTER: No, it's not -- Fat Head's is  
5 kind of unique because Fat Head's has a really big restaurant.

6 MR. McINTOSH: It's huge, yeah.

7 CHAIRMAN LINGENFELTER: In front of their, you know,  
8 in front of their operation. Now, Fat Head's has a, you know,  
9 they have a production facility that's a few miles away.

10 MR. McINTOSH: Oh, okay.

11 CHAIRMAN LINGENFELTER: So they don't just -- So not  
12 everything they do is on site there. There is another  
13 production facility that's a few miles. Again, I don't, there  
14 is no -- This is just all just casual knowledge on my part. I  
15 don't have intimate --

16 MR. MORGAN: I guess the question to be asked is  
17 where is it, with that microbrew, where is that referenced in  
18 the rest of the code as being available? Because if we're  
19 talking about a microbrew being allowed in the -- whatever, the  
20 area we were fighting over.

21 MR. McINTOSH: Right, right.

22 MR. MORGAN: Then that's one thing. But if we're  
23 talking about putting it, allowing it in the Grist Mill, that's  
24 a completely different situation.

25 MR. McINTOSH: Well, I think --

26 MR. MORGAN: That would be kind of where I would look  
27 at it and question, where are we referencing that as an  
28 available zoning?

29 MR. McINTOSH: It came up when we were talking more  
30 about --



1 MR. PETERSON: Permitted use, yeah.

2 MR. McINTOSH: -- yeah, the Capital District type  
3 stuff.

4 CHAIRMAN LINGENFELTER: Well, it would be a  
5 conditional use anyway, wouldn't it?

6 MR. McINTOSH: Right.

7 CHAIRMAN LINGENFELTER: Or would it be, would that be  
8 a permitted use?

9 MR. McINTOSH: I think that's an interesting,  
10 actually, thought process. I mean, we don't, oddly enough --  
11 Right now, you could probably put a conditional. I mean, over  
12 in that area now, you could, you could probably classify that  
13 into that zoning over there easily, like if you're a commercial  
14 structure --

15 MR. MORGAN: Right.

16 MR. McINTOSH: -- and be a microbrew, that would fit  
17 over there with the current zoning. We wouldn't even --

18 MR. MORGAN: Yeah. If you had Willoughby, depending  
19 on what you are looking at, if you have Willoughby Brewing who  
20 was looking for an actual --

21 MR. McINTOSH: Correct. The conversation we had --

22 MR. MORGAN: -- you know, factory, for lack of a  
23 better term, or brewery that's not to be associated with a  
24 restaurant, then that's one thing versus --

25 MR. McINTOSH: Right. I think the conversation we  
26 had was a combo tasting room but then we recognized that a lot  
27 of those operations would then, in turn, have somewhat of a  
28 production basis to them as well.

29 MR. MORGAN: Right.

30 MR. McINTOSH: Like where they're maybe -- We were

1 definitely kind of on the fringe of really understanding that  
2 market and how to zone that. I would -- I mean, we had a lot  
3 of questions the last time we talked about it.

4 CHAIRMAN LINGENFELTER: Right.

5 MR. McINTOSH: How do we define? And we didn't  
6 really -- We researched a lot of things then, too.

7 MS. FREEMAN: Well, to Gerry's point, the  
8 microbrewery is a conditional use currently in the Capital  
9 District only. So the Capital District just -- because I know  
10 you are relatively new on the Board, I would show you on the  
11 Zoning Map -- is the area in the striped there.

12 MR. MORGAN: Okay. So it's only --

13 MS. FREEMAN: So Auburn, you know, over to 44 to the  
14 new Crile. It is a conditional use and it does have to be in  
15 conjunction with some restaurant component, tavern or bar.

16 MR. McINTOSH: Right.

17 MR. MORGAN: So I think we are probably looking at  
18 something more along the lines of 15,000 gallons versus 15,000  
19 barrels.

20 MS. FREEMAN: Yeah, I mean --

21 CHAIRMAN LINGENFELTER: Just in the, I mean, just in  
22 common, you know, just based on the 15,000 gallon per year,  
23 that's 1,000, basically, roughly 1,000 barrels, you know.

24 MR. MORGAN: Right.

25 CHAIRMAN LINGENFELTER: A little bit less than 1,000  
26 barrels. So I think it should be more than that. I think  
27 1,000 barrels is probably on the small side.

28 MR. McINTOSH: Yeah.

29 CHAIRMAN LINGENFELTER: But I'd be interested to  
30 know, I guess I would want to know -- and I'm sure it's public

1 information, shouldn't be too hard to find out, what, like Fat  
2 Head's, what their brewing capacity, what they brew capacity  
3 wise, what Willoughby Brewing does. Those would be a good  
4 model.

5 MS. FREEMAN: Okay.

6 CHAIRMAN LINGENFELTER: Maybe Market Garden Brewery  
7 in downtown Cleveland.

8 MR. McINTOSH: Right.

9 CHAIRMAN LINGENFELTER: That would be a good example,  
10 a good model to look at. What's the, what's the one down in  
11 Akron?

12 MS. MARTIS: Thirsty Dog.

13 CHAIRMAN LINGENFELTER: Thirsty Dog. Then you look  
14 at Voodoo is in Erie. It's another -- is a good microbrew to  
15 look at. Voodoo would be a good one in Erie, Pennsylvania, not  
16 too far away. Those would be, I think, some good, some good  
17 microbreweries to look at to give us a better understanding.  
18 But I think, you know --

19 MS. FREEMAN: Okay.

20 CHAIRMAN LINGENFELTER: You know, sometimes bigger is  
21 better but, to me, 15,000 barrels, that's a pretty big  
22 operation.

23 MS. FREEMAN: Okay. Yeah, I mean, we can look into  
24 that.

25 CHAIRMAN LINGENFELTER: There might be a happy median  
26 somewhere between that and, you know, 15,000 gallons.

27 MS. FREEMAN: Okay.

28 MR. MORGAN: I think what that is probably leaning  
29 toward, like Morgan said, is more with the restaurant where  
30 they're brewing it, they're brewing it to sell it in their

1 restaurant, not brewing it to distribute it through Giant Eagle  
2 or --

3 MR. McINTOSH: Right.

4 CHAIRMAN LINGENFELTER: Ah, I wouldn't say that. I  
5 wouldn't, you know -- I mean, the ultimate goal for any  
6 microbrewery is distribution. I mean, because that's where the  
7 money is.

8 MR. MORGAN: Right. But I mean more of just --

9 CHAIRMAN LINGENFELTER: Right.

10 MR. MORGAN: -- in general, what we're looking at.  
11 If we're talking about just the Capital District and not into  
12 the --

13 MR. McINTOSH: Right.

14 MR. MORGAN: -- commercial, the industrial -- I can't  
15 think of that zoning.

16 MS. FREEMAN: The RD-2 or the BX.

17 MR. MORGAN: Yeah, into those districts where you're  
18 talking about a bigger distribution, you don't want to -- we  
19 don't necessarily want a distribution center --

20 CHAIRMAN LINGENFELTER: Right.

21 MR. MORGAN: -- being in the Capital District.

22 MR. McINTOSH: I think what we're trying to get is a  
23 tasting room/restaurant with some on-site brew capacity.

24 CHAIRMAN LINGENFELTER: Right.

25 MR. McINTOSH: Whether that would be a branch  
26 location of somebody that's in existence now, if they ever grew  
27 they would, obviously, be in a situation like many of them are  
28 that have satellite production facilities --

29 CHAIRMAN LINGENFELTER: Right.

30 MR. McINTOSH: -- of substance in commercial

1 districts that aren't in that kind of a space. To Andy's  
2 point, if they're successful, they are going to end up with  
3 that problem and they're going to have to put up a facility  
4 somewhere else.

5 CHAIRMAN LINGENFELTER: Right.

6 MR. PETERSON: On that topic, Heather, the micro-  
7 distillery is still 8,000 gallons; is that correct? That's not  
8 barrels.

9 CHAIRMAN LINGENFELTER: Right.

10 MS. FREEMAN: Yeah.

11 MR. PETERSON: That would do barrels, too, wouldn't  
12 they?

13 MS. FREEMAN: No.

14 CHAIRMAN LINGENFELTER: Well, that's a little bit of  
15 a different --

16 MR. PETERSON: Okay.

17 CHAIRMAN LINGENFELTER: Technically, yes, they do,  
18 but I would think that, you know, to me, that's a good -- I  
19 don't have a problem with the microdistillery number. That  
20 seems, 8,000 gallons microdistillery, that's probably -- You  
21 know, if you wanted to look at something in microdistillery,  
22 you can look at that -- what is it -- Red Eagle that's out  
23 there by --

24 MR. McINTOSH: Yeah, in wine country. I used to --

25 CHAIRMAN LINGENFELTER: Yeah. Is it Red Eagle?

26 MR. McINTOSH: Red -- It's over across from M Cellars  
27 and --

28 CHAIRMAN LINGENFELTER: Yeah.

29 MR. McINTOSH: -- and South River Winery.

30 CHAIRMAN LINGENFELTER: Yeah, South River, right,

1 it's over there. That's, that's what -- I would consider that  
2 a microdistillery. That's a pretty small operation. And maybe  
3 Seven Brothers, I think they're a small microdistillery  
4 operation that do local. And then I think -- What's the other  
5 one, OH? There is another one that does local --

6 MR. MORGAN: There's one in Bainbridge.

7 CHAIRMAN LINGENFELTER: -- whiskeys and whatnot. So  
8 I would try, I would try those and see.

9 MS. FREEMAN: Okay.

10 CHAIRMAN LINGENFELTER: Just to get -- Again, there  
11 is, I think, there is enough of them around to get a good  
12 number.

13 MS. FREEMAN: Okay.

14 CHAIRMAN LINGENFELTER: Because, certainly, I think  
15 that would be a great, I think either one of those would be  
16 great additions, you know, to the -- we don't -- Have we looked  
17 at any, like, winery type of a thing, too? Is that -- Like,  
18 not the winery where they grow the grapes, obviously, but the  
19 ones where they bring in the, the juices and they make the  
20 wines. Didn't we have -- Wasn't somebody looking at that?

21 MR. PETERSON: I thought we talked about that at one  
22 point.

23 MS. FREEMAN: Yeah, there was.

24 CHAIRMAN LINGENFELTER: I thought there was --

25 MS. FREEMAN: There was someone that was interested  
26 in doing what they were referring to as an urban winery.

27 CHAIRMAN LINGENFELTER: Right. Yeah, they don't grow  
28 the grapes. They don't grow the grapes, they just basically  
29 buy the juice.

30 MS. FREEMAN: Buy the juice, yeah.

1 CHAIRMAN LINGENFELTER: And then they, they, you  
2 know, make it and barrel it and then serve it on the premise.

3 MS. FREEMAN: Right.

4 CHAIRMAN LINGENFELTER: So that would be, you know,  
5 something that would be of interest, you know. I'm not sure  
6 what the name of those, what they call these wineries. It's  
7 not a, it's not really a true winery.

8 MR. PETERSON: Microwinery?

9 MS. FREEMAN: Yeah, microwinery?

10 CHAIRMAN LINGENFELTER: I don't know.

11 MS. FREEMAN: That's something that we didn't really  
12 look into too much but we, you know, we can see what's out  
13 there. But I will definitely follow up on these other  
14 microbreweries, see what their capacity is and come back with  
15 some, you know, some comparison and then, along with that,  
16 we'll into look into, you know, the zoning that went along with  
17 that and how they were approved and if they had parameters --

18 CHAIRMAN LINGENFELTER: Right.

19 MS. FREEMAN: -- at the local level and see what they  
20 were just to kind of compare, you know, maybe what our, some of  
21 our conditional use requirements versus if they had any.

22 MR. SCHINDLER: When you say "micro," we would  
23 probably have to put an amount, like barrels, like you're  
24 saying.

25 MS. FREEMAN: Yeah.

26 MR. SCHINDLER: That would be a capacity we would  
27 allow to go into that area, which would cater to, basically,  
28 people who are coming there to eat dinner. They can eat. I  
29 know I've been in a couple places in Dayton where they have the  
30 restaurant but yet you can see into the big stainless steel

1 facilities while they're making a little bit there for on-site  
2 use and they allow you, you know, maybe to buy a six-pack and  
3 take home with you if you want. That's what we're looking at,  
4 not a big, humongus, you know, big vat place something like  
5 that.

6 CHAIRMAN LINGENFELTER: We don't want Anheuser Busch?

7 MR. PETERSON: We don't want Anheuser Busch here?

8 MR. SCHINDLER: Well, that's an altogether different  
9 ball game.

10 CHAIRMAN LINGENFELTER: Hey, Amazon distribution  
11 centers have been talked about. Why not?

12 MR. McINTOSH: Sure.

13 CHAIRMAN LINGENFELTER: Go big or go home.

14 MR. McINTOSH: Go home.

15 MR. SCHINDLER: Okay.

16 MS. FREEMAN: So we will hold off on that for now.  
17 We'll do a little bit more looking into that.

18 All right. I'm just kind of going through in order  
19 of what I had sent you in your packets. The next section --

20 MR. MORGAN: Before we jump off of there, I did  
21 have --

22 MS. FREEMAN: Yes.

23 MR. MORGAN: I did have a couple questions on a  
24 couple of definitions.

25 MS. FREEMAN: Sure.

26 MR. MORGAN: I don't know if we want to wait until --

27 MS. FREEMAN: No, we can do it now.

28 MR. MORGAN: -- the end.

29 MS. FREEMAN: Yeah, no, let's do it as we're going  
30 through, yeah.



1 MR. MORGAN: Number 59 and 60 on 5, page 5.6, just  
2 kind of a -- I guess this is more just a term of art more.  
3 Under 59, you've got "driveway" and "driveway" references, at  
4 the end, driveways serve multiple uses if approved. But then  
5 the very next definition is "shared driveway." Is it redundant  
6 to reference in driveway that multiple uses can occur on a, you  
7 know, on a driveway if you're then defining "shared driveway"  
8 right after that?

9 MS. FREEMAN: Well, I think the difference is that  
10 the driveway provides access to one parcel, one lot of record,  
11 and then the shared driveway provides two.

12 MR. MORGAN: Right. No, I understand that. I guess  
13 I am questioning, and maybe it's just being a pain in the rear  
14 end --

15 MS. FREEMAN: No, it's okay.

16 MR. MORGAN: -- on language, but where it says unless  
17 approved, approval has been granted for a shared drive, "in  
18 which case the driveway may serve multiple uses," and then the  
19 very next definition is "driveway, shared."

20 MS. FREEMAN: Right.

21 MR. MORGAN: So is there really a need to have that  
22 language in there? Just something to look at and think  
23 through.

24 MS. FREEMAN: Yeah, okay. Yeah, we can look at that.

25 MR. MORGAN: So it doesn't cause any confusion in the  
26 future.

27 MS. FREEMAN: No, that's a good point.

28 MR. MORGAN: And then I guess going further into  
29 the definitions where you're referencing, for "parcel" on 143,  
30 on page 5.16, it's referencing that the parcel was recorded and

1 distinguished in Lake County Auditor's property, as well as  
2 "lot" is kind of a similar definition. I don't think that's in  
3 any of the unless we go into the code.

4 Does that run into, are we going to run into any  
5 issues with those definitions when we're talking about  
6 subdivision plats where the -- where we have language in there  
7 regarding reviews of lots when they're not actually recorded  
8 yet, they're still before the plat's been recorded? I am just  
9 trying to --

10 MS. FREEMAN: No.

11 MR. MORGAN: That's maybe a question more to run by  
12 legal counsel on that.

13 MS. FREEMAN: Okay.

14 MR. MORGAN: Just as I look at it, if we're defining  
15 something as parcel or lot and then we're using that same term  
16 later in the, in the code where it's not been recorded but our  
17 definition of "parcel" or "lot" is recorded, are we running  
18 afoul of somebody coming in at a later date and arguing, "Well,  
19 you can't do that because it's not a recorded lot"? Just the  
20 way the definition is written, that it's being written that it  
21 is recorded already. So if you are talking about a subdivision  
22 in your, in your plan review, you're referencing "lot."

23 MS. FREEMAN: Yeah.

24 MR. MORGAN: But "lot" is defined as something that's  
25 already recorded but at the point where you're --

26 MS. FREEMAN: Reviewing that.

27 MR. MORGAN: -- reviewing those plans they're not a  
28 recorded lot yet.

29 MS. FREEMAN: It's kind of a proposed lot, right.

30 MR. MORGAN: Yeah.

1 MS. FREEMAN: Yeah. I know a little bit --

2 MR. MORGAN: I don't know. It's just something maybe  
3 to bring up to legal counsel to ask that question just to  
4 clarify. I'd rather not have the argument later down the road  
5 with a developer.

6 MS. FREEMAN: Yeah. Because, I mean, the existing  
7 definition of "lot" has always indicated that it's a land  
8 legally recorded in the Recorder's Office. But, yeah, you  
9 could have them look at that again and make sure that that's  
10 not an issue.

11 MR. MORGAN: Yeah. And then, again, Number 212,  
12 "waiting space or lane," on page 5.23, define -- you're putting  
13 the term "cars" in there, "designated for cars to 'wait' in."  
14 I don't know if there is a better term to put in there, if  
15 it's --

16 MS. FREEMAN: Vehicles maybe.

17 MR. MORGAN: Yeah. Well, you're later defining  
18 "vehicles" and vehicles talk about, you know, much bigger  
19 trucks and such that aren't necessary going to be in. But I  
20 think we may be --

21 CHAIRMAN LINGENFELTER: Where are you?

22 MR. MORGAN: I am sorry. Page 5.23.

23 MR. McINTOSH: Page 5.23.

24 MR. MORGAN: 212. It may be okay because later in  
25 the, later in the code you do define the size of a waiting  
26 space.

27 MS. FREEMAN: Right.

28 MR. MORGAN: But, again, just to make sure maybe, you  
29 know, a legal counsel question on it.

30 MS. FREEMAN: What are you thinking it should be?

1 MR. MORGAN: I don't know. I have no idea whether  
2 it's "vehicles" or whether this is the place to actually put  
3 the size in rather than referencing.

4 MS. FREEMAN: Oh, okay.

5 MR. MORGAN: Putting the size at a later date where  
6 it's being referenced as a wait space, maybe this could just be  
7 defined as, you know, a lane or area that's, you know, that's  
8 sized at this for, you know, waiting while utilizing a drive-  
9 thru. I don't know. I'm not --

10 MS. FREEMAN: Okay.

11 MR. MORGAN: I think, other than putting my legal hat  
12 on to go through this and think how could this come back to  
13 bite us later on, I don't know.

14 MS. FREEMAN: Right.

15 MR. MORGAN: But, again, just maybe that's the, maybe  
16 that's the location in Definitions is to define the size of the  
17 waiting space rather than just having a general definition and  
18 going back on it.

19 MS. FREEMAN: Although, you know, with like other  
20 similar definitions, like "parking space," we don't dictate the  
21 dimensions of it within the definition.

22 MR. MORGAN: Right. And "cars" may be a perfectly  
23 good term. I just -- Are they going to be in violation of the  
24 code if a --

25 MR. PETERSON: A motorcycle.

26 MR. MORGAN: -- motorcycle or a box truck goes  
27 through?

28 MS. FREEMAN: Okay, yeah. Well, maybe we, instead of  
29 "cars," it's "vehicles" or "passenger vehicles" or something  
30 like that. We can review that with legal and get an opinion on

1 that.

2 MR. MORGAN: Yeah. That was my definition questions.

3 MS. FREEMAN: Okay. The Section 11, which is the  
4 Zoning Permit section of the Zoning Resolution, a lot of this  
5 was just adding some headings in and kind of rearranging some  
6 of the existing regulations as far as how we process zoning  
7 permit applications, when they're required. Some of the  
8 changes that we are including in, we would like for applicants  
9 to obtain a zoning permit when they're building a retaining  
10 wall that also requires a building permit from Lake County, and  
11 that's typically due to the fact when the retaining wall is  
12 higher than 4 feet in height.

13 And then also just clarifying that, when you're doing  
14 an attached porch onto a house, you know, that a zoning permit  
15 would be required as well. It doesn't really fall under the  
16 definition of "deck" but a lot of the times the front of the  
17 house you're adding on a porch, whether enclosed or open, that  
18 you just want to make it clear that that does require a zoning  
19 permit and zoning approval because you are required to meet  
20 that, you know, depending on what district you're in, if you're  
21 in the R-1, you have to meet the 50 foot setback from the  
22 right-of-way. So we want to be able to review that zoning  
23 permit just to make sure they are complying with that.

24 MR. SCHINDLER: Do you require a zoning permit for a  
25 deck if you're just refurbishing it, you're not changing the  
26 footprint but say --

27 MS. FREEMAN: If you're going to replace the footers  
28 and everything, yeah.

29 MR. SCHINDLER: The footers, yes. But, I mean, say  
30 the deck itself has deteriorated. You're just replacing the

1 top of it with new material.

2 MS. FREEMAN: If you are just replacing, repairing  
3 it, then no.

4 MR. SCHINDLER: No, okay.

5 MS. FREEMAN: If you're reconstructing it, yeah.

6 MR. SCHINDLER: Yeah, that's what I meant. As long  
7 as the footers are there, the basic structure to support it is  
8 good and you just want to change the top of the deck because  
9 it's deteriorated, you put new boards on or new material --

10 MS. FREEMAN: No. As long as we already had a permit  
11 for that original one and it's lawful and conforming --

12 MR. SCHINDLER: Right.

13 MS. FREEMAN: -- then you're able to, like, make the  
14 repairs without, yeah.

15 MR. SCHINDLER: Okay.

16 MS. FREEMAN: If you are going to change something,  
17 you know, make it higher or do --

18 MR. SCHINDLER: That's different.

19 MS. FREEMAN: -- something like that --

20 MR. SCHINDLER: Yeah, that's a major over, you know,  
21 change. But a lot of times with the old decks nowadays,  
22 pressure-treated wood deteriorates over time then and you just  
23 want to replace the upper part with new, especially now they  
24 got the new materials, you know, the new composite.

25 MR. MORGAN: Trex.

26 MR. SCHINDLER: You know, it lasts forever.

27 MS. FREEMAN: Right.

28 MR. SCHINDLER: I would think, as long as you're just  
29 doing that, you shouldn't have to have a permit to do that.

30 MS. FREEMAN: The only caution with that is if you

1 start pulling it up and then you look at the footers and you're  
2 like, "Oh, man, we've got to rip the whole thing out."

3 MR. SCHINDLER: And they have to, yeah.

4 MS. FREEMAN: Then you would be, you know, required  
5 to get another zoning permit and then a permit from the Lake  
6 County Building Department because they're going to be the one  
7 that inspects the footers and making sure you do the 42 inches  
8 down.

9 MR. SCHINDLER: Gotcha.

10 MS. FREEMAN: All of that good stuff as far as the  
11 building code.

12 MR. SCHINDLER: Right.

13 MS. FREEMAN: We're putting Andy to sleep here.

14 MR. SCHINDLER: Go below the frost line and all that  
15 good stuff.

16 MS. FREEMAN: Yeah.

17 MR. SCHINDLER: Yeah. Thank you.

18 MS. FREEMAN: Sure. And then like in 11.02 just  
19 making it clear for like when site plan review is required,  
20 just referencing that section a little bit more up front for,  
21 you know, folks that are coming from the, from the commercial  
22 side of, you know, of the spectrum. So when they flip to the  
23 Zoning Permit, they know right off the bat that, hey, I have to  
24 go through the site plan review process before I can get a  
25 zoning permit.

26 And then just kind of outline the zoning permit  
27 review procedure just in a little bit, you know, an easier,  
28 simplified way for folks to read. It's the same process that  
29 we're already following. Same expiration process, you have a  
30 year to start the project and then two and a half years to

1 complete. And then just, on the last page of that, just adding  
2 in there that a zoning permit is not required for any  
3 agricultural buildings which are exempt from the regulations.

4 Do you have any questions or comments on anything in  
5 that, anybody?

6 MR. MORGAN: The one question I had was with regards  
7 to the expirations. Do we have anywhere -- and I didn't get a  
8 chance to go back through the code -- but anywhere for the  
9 ability to renew the zoning permit?

10 MS. FREEMAN: The only way to renew it, you just  
11 reapply.

12 MR. MORGAN: To go back to the whole --

13 MS. FREEMAN: Yeah. If it expires, yeah, there is no  
14 renewal.

15 Okay. And then in Section 13, which is the  
16 Conditional Use Permit section, there is some housekeeping  
17 items here. A while back, we had done some -- the  
18 consolidation of the residential districts, if you recall, and  
19 we eliminated the R-5, which was like the senior kind of  
20 continuum of care kind of district. And with that there were a  
21 few references in Section 13.06 that were overlooked that  
22 reference the R-5. So on page 13.4, letter F there, just  
23 deleting the reference to the R-5, and then also in the  
24 Section H there, the reference to R-5.

25 And then some other housekeeping items as it related,  
26 since we were looking at the Parking section, that staff was  
27 looking at parking and all other, other sections of the Zoning  
28 Resolution and we needed to just do some housekeeping as well  
29 here. On page 13.8, the parking for this conditional use, just  
30 making it clear that it meets the standard in Section 29, which



1 is the Parking section.

2 And then it was kind of redundant just to list that  
3 parking spaces shall be provided and parking areas. We just  
4 put that right up at the top saying all the parking must meet  
5 Section 29 unless specifically modified below, which we left  
6 intact.

7 And then under -- On the next page in 13.08, we went  
8 ahead and made the change to reference the off-street parking,  
9 Section 29, and added in the statement that, for the child or  
10 adult care, day care centers, that the vehicles that they use  
11 to transport their clients, they're allowed to park those  
12 overnight at the center as long as they're meeting the other  
13 parking setback requirements, because they may have a bus or a  
14 van that they need to park there.

15 And then under Section 13.11, under College/  
16 University, referencing that off-street parking is provided in  
17 Section 29.

18 And then we already have, like, we've eliminated the,  
19 the additional language that talks about the parking areas  
20 screened from abutting property because we do already talk  
21 about screening in Section 38 for any nonresidential use, which  
22 would include a school, so there is already standards in 38  
23 that talk about screening from adjacent properties from the  
24 parking areas. So it was a little redundant to have it in both  
25 sections. The language is stronger in Section 38.

26 And we did that modification on a few of these other  
27 sections as well, like under the Library, Museum, Community  
28 Center. For the Community Parks and Playgrounds, those are  
29 very similar modifications. Under the Adult Group Homes in  
30 Section 13.16, some changes there for the off-street parking

1 referencing Section 29, the elimination of (G)(4) which, on  
2 page 13.15, that statement cannot be in there. We can't  
3 discriminate those folks that might fall under that category.

4 And then under the Drive-Thru Facilities in  
5 Section 13.17, here we're now referencing the new waiting space  
6 requirements that we outlined in Section 29.09. That's where  
7 we provide the table of number of waiting spaces and the size  
8 of them that are required based on the use, just switching the  
9 terminology to reference the waiting spaces, which is a new  
10 term that we're proposing to defined rather than "stacking  
11 area" that was undefined.

12 Similar edits under the Gas Stations, 13.25,  
13 referencing Section 29 for off-street parking, the waiting  
14 spaces in accordance with 29.09 and that a loading space should  
15 be provided on the site plan as well. There tends to be a lot  
16 of deliveries and such at gas stations. They should have an  
17 adequate area to do that.

18 And then there is the Car Wash, making the  
19 modifications to reference Section 29 for off-street parking  
20 and then also waiting spaces requirements that are found in 29,  
21 same thing for the Automotive Services that's in Section 13.28.

22 And then I know we talked about the outside dining.  
23 You went back and forth about parking and do we require more?  
24 And the consensus was that we just put it on the applicant to  
25 provide evidence to the -- this would under the Board of Zoning  
26 Appeals -- that they have adequate parking for the outside  
27 dining area to get approved.

28 And then in 13.35 where, which is the section that  
29 addresses Microbrewery, Microdistillery, maybe we will want to  
30 make some more changes here if we find out some more

1 information. But I was just clarifying, under A, we do have a  
2 provision in there that the microbrew or distillery has to  
3 include that restaurant component and it has to be located in  
4 the same building, and I just wanted to make sure the  
5 restaurant has to constitute no less than 20 percent of the  
6 total floor area of the business.

7 Any questions about anything in there, or discussion?

8 CHAIRMAN LINGENFELTER: Is that, that 20 percent, is  
9 that an arbitrary number?

10 MS. FREEMAN: That was one that our --

11 CHAIRMAN LINGENFELTER: Or is that something that  
12 you --

13 MS. FREEMAN: I didn't come up with that. If you  
14 recall, the Township had hired Mark Majewski to help write some  
15 of that reg -- legislation. I kind of came in on the end of  
16 that. I am not sure where he got that 20 percent figure. I  
17 don't know if that's based on looking at some existing  
18 distilleries or looking at existing zoning. But that's  
19 something else that, you know, while we're looking at some of  
20 the other ones you mentioned, if we can get a handle on, you  
21 know, the restaurant usage versus the brewery area.

22 CHAIRMAN LINGENFELTER: That's the minimum?

23 MS. FREEMAN: The restaurant has, yeah, a minimum.

24 CHAIRMAN LINGENFELTER: Has to be at least 20  
25 percent.

26 MS. FREEMAN: Yeah.

27 CHAIRMAN LINGENFELTER: Could be more.

28 MS. FREEMAN: Right.

29 CHAIRMAN LINGENFELTER: But it's got to be at least  
30 20 percent, probably a pretty good number.

1 MS. FREEMAN: You know, to make sure that they're  
2 requiring that or having the opportunity, you know, to do the  
3 tasting of the beer but we already do require --

4 CHAIRMAN LINGENFELTER: What would happen, just out  
5 of curiosity, if a microbrewery came in and say they wanted to  
6 be a really small microbrewery, somebody in the small capacity  
7 size, maybe 5,000, you know, or a few thousand barrels, not  
8 really big and they didn't really need a big footer, you know,  
9 but they still wanted to have a tasting room or whatever. And  
10 say they wanted to do -- maybe 20 percent would be a  
11 substantial portion of their production facility and they  
12 wanted to downsize that to, say, 10 percent. What would  
13 happen? Would that be a, would that be a variance that would  
14 be required then?

15 MS. FREEMAN: That would be a variance.

16 CHAIRMAN LINGENFELTER: Would they still have an  
17 opportunity to make that proposal or would they -- or would  
18 they have to adhere to that 20 percent?

19 MS. FREEMAN: They would first have to seek a  
20 variance.

21 CHAIRMAN LINGENFELTER: Okay.

22 MS. FREEMAN: And if the variance was approved, then  
23 they could still -- then they could get an application in for  
24 the conditional use for the brewery.

25 CHAIRMAN LINGENFELTER: Okay.

26 MS. FREEMAN: Folks will probably do that at the same  
27 time, put the application for the variance and the CUP.

28 CHAIRMAN LINGENFELTER: Right. So they would have to  
29 get the variance first before they could get the conditional  
30 use then?

1 MS. FREEMAN: Uh-huh.

2 CHAIRMAN LINGENFELTER: All right.

3 MS. FREEMAN: All right. And then under the  
4 Residential Districts, Section 15, the Table of Uses, 15.02-1,  
5 one change here. Under Accessory Uses, we were referencing  
6 recreational vehicles. We were now going to change that  
7 terminology to reference the off-street parking because  
8 off-street parking is an acceptable accessory use in the  
9 residential districts and it also addressed the parking of the  
10 recreational vehicles. So this is now going to point folks to  
11 Section 29 where the regulations are actually contained.

12 And then there was a, there was a modification that  
13 needed to be required in Table 15.03-1, which is on page 15.5.  
14 When we consolidated the residential districts and created this  
15 table, for the lots that were -- we had indicated lots greater  
16 than 2 acres were permitted up to the 1,532 square feet and  
17 lots under 2 acres were up to 1,024, but it should have been  
18 lots 2 acres or greater could do the 1,532 square feet. So if  
19 you had exactly 2 acres, we weren't accounting for you and that  
20 was just an oversight. It should have been the 2 acres and  
21 greater, 1,532 square feet. I will get that back where we had  
22 it originally.

23 Something that we didn't talk about before and I  
24 wanted to bring up with you, under the R-3 Development  
25 Standards, that's the -- some of the those developments that  
26 we've had include like the Aria's Way and the Gabriel's Edge  
27 developments. They're the private street development, the  
28 condominium-type ownership, the ones we've had over the last  
29 few years. They've done the detached family cluster dwellings.  
30 So Ryan Homes recently did the one that Rick Sommers developed

1 off of Johnnycake.

2 Driving through there and, you know, we were very  
3 light on the regulations as it related to setbacks within that  
4 district. We have setbacks that are in place as far as from  
5 the overall lot line, which is the boundary of the whole entire  
6 parcel, but we didn't have anything in there that, you know,  
7 dictated like a setback for the dwelling from the private  
8 street.

9 And looking at some other communities and just  
10 looking, you know, at the parking and how tight the parking is  
11 in the R-3, you can't really, you can't park on the street. If  
12 you're having a party, there is no parking. We don't require  
13 them currently to provide any guest parking but then we don't  
14 dictate like a setback from the street. So they're putting the  
15 houses, like, 20 feet from the road, which only gives you  
16 enough parking for like two cars completely in your driveway.

17 So the thought was maybe we could include in a  
18 setback for the dwellings. So what I had suggested in here  
19 would be that the dwellings need to be a minimum of 36 feet  
20 measured from the, from the curb back from the private -- 36  
21 feet from the curb of any private street. And that, if we did  
22 that, that would allow, ideally, four cars or two cars tandem,  
23 two cars tandem to be parked in a driveway.

24 And I think that would provide a little bit, you  
25 know, more useable front yard for folks, too, because if your  
26 house is 21 feet back from the road, you have like a 15 foot  
27 utility easement in your front yard. And should you need a  
28 utility repair, they're basically going to tear up your entire  
29 front yard just to make that repair. I think it would make the  
30 communities a little bit nicer for what people want in Concord.

1 And talking with some other planners in their, kind of, more of  
2 their dense areas, they found that anything shorter length than  
3 like 30 feet really isn't adequate for off-street parking in  
4 some of these areas.

5 So I just kind of put that in there for discussion to  
6 see if it was something that you wanted to consider. I mean,  
7 obviously, it doesn't affect what's already there. But if a  
8 developer were to propose another R-3 development, that would  
9 be a new regulation they would need to comply with. Thoughts?

10 MR. PETERSON: What do they do now like in Aria's  
11 Way? If they can't park on the street and have a short  
12 driveway, what do they do, park on the street?

13 MS. FREEMAN: Yeah, yeah.

14 MR. SCHINDLER: Aren't they supposed to have some  
15 parking for guest parking in these developments?

16 MR. PETERSON: They don't have any in there.

17 MS. FREEMAN: Well, it's not required.

18 MR. SCHINDLER: I know they don't have it in there  
19 but I --

20 MR. PETERSON: Condos do.

21 MS. FREEMAN: It's not required right now.

22 MR. SCHINDLER: Condos do.

23 MS. FREEMAN: So like, you know, on Country Scene, on  
24 Country Scene that goes through the Country Scene, their  
25 problem is they have hydrants on both sides of the street, so  
26 they can't do any on-street parking, and their driveways are  
27 have super short. So --

28 MR. McINTOSH: They did a couple of extra parking  
29 pads in that development, if I recall.

30 MS. FREEMAN: For the other, for Gabriel's Way, they

1 did provide a couple additional parking spots.

2 MR. McINTOSH: Not very many though.

3 MS. FREEMAN: Maybe four or so.

4 MR. McINTOSH: Yeah.

5 MR. SCHINDLER: Okay.

6 MS. FREEMAN: Driving through there and when things  
7 are under construction, like, it's a nightmare. Aria's Way  
8 isn't as bad because some of their -- those houses are set back  
9 further so their drives are a little bit longer. They're not  
10 as short as like the Gabriel's Edge. But, right now, we  
11 have -- there is no standard in there, so it's hard to get the  
12 developer to do anything but what they feel is the minimum.

13 MR. PETERSON: Yeah.

14 MS. FREEMAN: You know, like they're, "Oh, well, you  
15 don't require any additional parking. There are no setbacks.  
16 So why can't we do the 20, 20 feet back?"

17 MR. SCHINDLER: I mean, I think that makes good  
18 sense.

19 CHAIRMAN LINGENFELTER: Yeah.

20 MR. SCHINDLER: Especially since they don't have room  
21 in there anyway for guest parking, only for one or two places.  
22 You have to walk five neighbors down in order to park your car,  
23 walk all the way up. Setting it back, I would be in favor of  
24 so that they can have two cars tandem, at least. Plus taking  
25 care of, like you say, utilities, give them more of a front  
26 yard, too. It makes perfect sense for multiple reasons.

27 MS. FREEMAN: So like, for example, like in, I know  
28 in Summerwood, the front setback minimum is 30 feet from the  
29 right-of-way. So that's actually like 48 feet from the  
30 pavement of the road. So just to put it in, you know, like,



1 this would be 36 feet back from the road. So the drives would  
2 not even be as -- I don't know if your houses are set back  
3 right at the minimum or not. But, like, and then in the R-1  
4 and the R-4, the minimum setback is 50 feet from the right-of-  
5 way, which would actually be like 68 feet from the pavement.

6 So it is a much shorter setback. It's enough that  
7 would allow, you know, two cars to be parked tandem on the  
8 driveway. I think more now, like, families have kids that are  
9 driving. They have one or two cars. They're not necessarily  
10 using their garages for parking anymore, they're using it for  
11 storage.

12 MR. SCHINDLER: Storage.

13 MR. McINTOSH: Yeah, pretty much. Even in our  
14 development that's the case. Three-car garage and it's not  
15 uncommon to see one or two cars parked in the driveway.

16 MR. SCHINDLER: Driveway, yeah.

17 CHAIRMAN LINGENFELTER: Come on. Really?

18 MR. McINTOSH: I agree. I think that's --

19 MR. SCHINDLER: Yeah, me too.

20 MR. McINTOSH: -- very prudent.

21 MR. SCHINDLER: Okay. You have our vote. You've got  
22 my vote.

23 MR. PETERSON: Sound good?

24 MR. SCHINDLER: It sounds good.

25 MS. FREEMAN: Andy, you got anything or --

26 CHAIRMAN LINGENFELTER: Oh, I've got lots of things.  
27 No, I think it's good.

28 MS. FREEMAN: Okay.

29 CHAIRMAN LINGENFELTER: It would be good to get some  
30 citizen input.

1 MS. FREEMAN: Citizen input on that.

2 CHAIRMAN LINGENFELTER: But we don't have any  
3 citizens here to give us input, so I guess we'll just have to  
4 kind of do what we think is right.

5 MS. FREEMAN: Well, yeah. I mean, it wouldn't affect  
6 any existing developments. So if you are already living in  
7 Aria's Way or Gabriel's Edge or in Country Scene, I mean, what  
8 you have is, you know, lawful and conforming.

9 MR. McINTOSH: Do we have any -- Have you run across  
10 any access problems in any, like, in Gabriel's Edge or -- I am  
11 guessing that's probably worse than Aria's Way as far as --

12 MS. FREEMAN: Access?

13 MR. McINTOSH: -- potential congestion. Well,  
14 they've got their hydrants on either side of the street and the  
15 driveways are so small. I know one of the biggest issues we  
16 usually have when they come in with these site plans is when  
17 the fire chief or Fire Department comes in and says, "We've got  
18 to make room for our apparatus," which is not a small amount of  
19 room in most cases.

20 Have we had any problems? Because I am trying to  
21 picture Gabriel's Edge now and, yeah, you threw -- I mean,  
22 where do they park? There's fire hydrants on both sides and  
23 small driveways.

24 MS. FREEMAN: Well, I think actually in Gabriel, in  
25 Gabriel's Way, they may be able to do some on-street parking  
26 but the houses are so close to each other, they're 15 feet from  
27 wall to wall.

28 MR. McINTOSH: Right.

29 MS. FREEMAN: So there is not a lot, you know.

30 MR. McINTOSH: No.

1 MS. FREEMAN: Maybe one car for each house could park  
2 on the street, technically, only on one side and not overnight.  
3 And I don't know. I mean, I have to look in and find out from  
4 the Fire Department.

5 MR. SCHINDLER: I have gone down that street

6 MR. McINTOSH: It's been a while.

7 MR. SCHINDLER: And, occasionally, someone has their  
8 car out there and you have to wait for someone coming the other  
9 way and you wait until someone comes around because you have to  
10 skirt around them. They are not supposed to be doing that but  
11 they do.

12 MR. MORGAN: Are those existing houses, are they kind  
13 of wedged in there between a front setback and a rear setback,  
14 front yard setback and a rear yard setback such that they --

15 MS. FREEMAN: Well, no.

16 MR. MORGAN: -- with those specific developments,  
17 they could actually have been built 10 feet further? The  
18 developer just didn't want to throw in that extra concrete?

19 MS. FREEMAN: Yeah. They could have been set back  
20 further because the only setbacks that are in place are in  
21 relationship to the one lot. So a developer will get like a 20  
22 acre lot and, in essence, there is only four lot lines because  
23 each individual house is not on its own separate lot. It's  
24 limited common area. It's set up like they only own like the  
25 house and the footprint. It's a condo-type development. They  
26 don't actually own the land around and it's not a lot line, so  
27 there are no setbacks in place from the limited common element  
28 lines. They only have to meet like a 50 foot setback from, you  
29 know, the sidelines or the rear and that's really for the  
30 perimeter of the development and creates like a buffer.

1 MR. MORGAN: Right.

2 MS. FREEMAN: In essence.

3 MR. MORGAN: So if we require the 30 foot or 36 foot  
4 from the curb, it's probably not, those developments -- I guess  
5 what I'm looking at is, could those developments have been  
6 built with the 36 foot setback without, without causing, you  
7 know, the developer is not looking at it and saying, "Well, I  
8 have to buy another lot in order to meet these requirements"?

9 MS. FREEMAN: I mean, they would have had to develop  
10 it differently.

11 MR. McINTOSH: Yeah.

12 MS. FREEMAN: That one for sure.

13 MR. SCHINDLER: Much differently. If you go back --

14 MR. McINTOSH: Well, Country Scene is not a lot of  
15 room one way or the other. I mean --

16 MS. FREEMAN: Country Scene, they probably wouldn't  
17 have been able to do at all. But --

18 MR. McINTOSH: Because they were right up against  
19 Altercare.

20 MR. SCHINDLER: Right.

21 MR. McINTOSH: There's that building on one side.

22 MS. FREEMAN: It's a very shallow lot.

23 MR. McINTOSH: And then the lot line. Yeah, I don't  
24 think you'd have room on Country Scene.

25 MR. SCHINDLER: Right.

26 MR. McINTOSH: Or at least that whole initial part  
27 along Altercare, you would've just had road and then you  
28 would've had to bend it to make that kind of setback. It would  
29 have been tough.

30 MR. SCHINDLER: If you go into St. Gabe's parking lot

1 in the back, you can see right where their front line is.  
2 Well, first of all, they've got a big tower that's there, for  
3 one thing, too, plus they have a gas well thing coming in the  
4 side. But just there is a fence and perhaps just a small swale  
5 and, bingo, there's the houses.

6 MS. FREEMAN: You've got pictures?

7 MR. McINTOSH: Google Earth.

8 MS. FREEMAN: Oh, yeah.

9 MR. McINTOSH: Goggle Maps.

10 MS. FREEMAN: Yeah. But, see, so the Country Scene  
11 is actually Phase 1 of Gabriel's Edge and Gabriel's Way was  
12 Phase 2, so I think, had that regulation been in place, the  
13 developer probably would have come up with a different plan.

14 MR. McINTOSH: Yeah.

15 MR. SCHINDLER: Correct.

16 MS. FREEMAN: It just would have been a totally  
17 different plan.

18 MR. MORGAN: Yeah, I was just curious whether it was,  
19 you know, something they could have done or it was just they  
20 did, the developer did it that way in order to save a couple  
21 bucks on extra concrete.

22 MR. McINTOSH: That's a good, it is a good --

23 MS. FREEMAN: However, the developer sold off all the  
24 building sites to a builder, so he didn't really pay for the  
25 concrete.

26 MR. MORGAN: Even the builder looking at it.

27 MS. FREEMAN: Yeah, exactly.

28 MR. MORGAN: Having worked for them in the past, I  
29 know how they think. They will still charge the same amount  
30 but put, you know, 1,000 less yards of concrete.

1           CHAIRMAN LINGENFELTER: Since the cat's out of the  
2 bag on those, we can't go back and undo what's already been  
3 done on those.

4           MS. FREEMAN: Right.

5           CHAIRMAN LINGENFELTER: Is there much opportunity for  
6 more projects like that anywhere else in the township?

7           MR. PETERSON: Well, there are cluster homes coming  
8 in on Crile Road.

9           MS. FREEMAN: That falls under the PUD for Quail  
10 though.

11          MR. PETERSON: Yeah.

12          MS. FREEMAN: So they are held to a different set of  
13 regulations. I mean, from what we're hearing from people and  
14 developers, folks are looking for smaller yards to maintain and  
15 they're looking for, you know, maybe to downsize where they  
16 want less maintenance, and the R-3 District does provide that  
17 opportunity for a developer to come in and provide a low  
18 maintenance option because it is one of the denser zoning  
19 districts that we have in Concord. You can do up to the six  
20 dwelling units, for the cluster homes, per acre under the R-3  
21 and you only need a minimum of 10 acres for your development to  
22 qualify.

23          CHAIRMAN LINGENFELTER: Right.

24          MS. FREEMAN: So I think there is, you know, some  
25 areas left in the township where we could see applications put  
26 in for that type of development.

27          CHAIRMAN LINGENFELTER: So in addition to the  
28 lengthening of the driveways, which I think is a good idea,  
29 would it be, would it be out of our regulatory power to maybe  
30 make them sacrifice building units or housing units for parking

1 spaces? You know what I'm saying? Like have so many number,  
2 so many number of building units and then they have to make a  
3 parking lot for off, for off-street parking.

4 MS. FREEMAN: I mean, that's another way to do it.

5 CHAIRMAN LINGENFELTER: So you have, you know, if you  
6 have four units or five units and then the next one couldn't be  
7 a house. It would have to be a, it would have to be a,  
8 basically, a parking lot, a small pavement parking lot that  
9 would provide off-street parking for additional cars if they,  
10 you know, because of the safety issue. Could we do that?  
11 Could you say that? And then come up with some sort of a  
12 formula based on the number of units --

13 MS. FREEMAN: Yeah. I mean, you could --

14 CHAIRMAN LINGENFELTER: -- they're planning on  
15 putting in and say, okay, with these number of units then you  
16 also have to include, on those numbers of units, instead of  
17 building a house here you're going to have -- instead of  
18 putting a dwelling unit here you are going to have to put a  
19 parking lot to take care of off-street parking?

20 MS. FREEMAN: You could require additional, you know,  
21 guest parking based on so many units being built. I don't know  
22 that you would want to dictate where that parking should be  
23 located per se.

24 CHAIRMAN LINGENFELTER: Right, no, but I'm -- right.

25 MS. FREEMAN: But I'm thinking about what would be  
26 more desirable to the community, to have like a parking lot or  
27 just, you know, your own additional driveway parking? And then  
28 like the maintenance of that parking lot is going to be on your  
29 condo association or -- to maintain that and make sure that,  
30 you know, trash is cleaned up and -- I don't know. I kind of

1 feel like providing just that additional parking within your  
2 own private driveway might be more a desirable option.

3 CHAIRMAN LINGENFELTER: Well, I use -- Like my son  
4 and daughter-in-law, they lived over in Concord Commons, in the  
5 condos over there.

6 MS. FREEMAN: Okay.

7 CHAIRMAN LINGENFELTER: They had a little tiny  
8 driveway which it wasn't even really hardly enough for them to  
9 put two cars in.

10 MS. FREEMAN: Yeah.

11 CHAIRMAN LINGENFELTER: And they had two cars and  
12 they had a two-car garage, which is a small two-car garage,  
13 right? So they could -- that really didn't fit two cars,  
14 especially if you have any sort of an SUV or anything like  
15 that. So we were always parking in the street.

16 MS. FREEMAN: Yeah.

17 CHAIRMAN LINGENFELTER: And it's not conducive to  
18 parking in the street. If they had any kind of a party over  
19 there where there was a couple, two or three people that came,  
20 I mean, it was like no place to park.

21 MS. FREEMAN: Yeah.

22 CHAIRMAN LINGENFELTER: Park around the corner, on  
23 the side, you know, on the side street but you were on the  
24 street, you know, no matter what, and it was a very narrow  
25 street. It was a real -- It was not a very good place to have  
26 any sort of, you know, a family event or get-together because  
27 if you own two cars, your driveway was full. There wasn't, I  
28 mean, your driveway didn't -- There was nothing more to offer  
29 as far as parking was concerned. So, you know, that's why I'm  
30 thinking -- And they didn't have any off -- they didn't have



1 any additional parking places. They had no other places to go  
2 park, off-street parking, so you park on the, you park on the  
3 street or there is nowhere to park.

4 MR. SCHINDLER: I would, I mean, I understand where  
5 you are coming from but I can see where, if you put that, some  
6 parking on there, some people end up using that all the time  
7 for their own personal use anyway. I have seen places, I've  
8 gone through condo developments where they will have two cars  
9 already in their own driveway and then the other people, they  
10 will be parking and they're supposed to be for guests and  
11 they're parking there overnight themselves. Where, if we just  
12 stick with the additional 36 feet, at least within your area,  
13 you can accommodate your guests, for example, and not have the  
14 other parking that has to be taken care of, like you say, by  
15 the association or other people just using it to their  
16 advantage and just --

17 CHAIRMAN LINGENFELTER: Yeah, but that would be an  
18 enforcement issue within the condo association.

19 MR. SCHINDLER: That's true. That's true.

20 CHAIRMAN LINGENFELTER: You just say there's no --  
21 you can't park and you can't, residents can't park in the guest  
22 parking.

23 MR. SCHINDLER: That's true.

24 MR. McINTOSH: Right, but that comes down to  
25 approving it and --

26 CHAIRMAN LINGENFELTER: Right, right. But I'm not  
27 saying that in lieu of the 36 foot parking, the setback. I am  
28 talking in addition.

29 MR. SCHINDLER: In addition to.

30 CHAIRMAN LINGENFELTER: Yeah. That way, it

1 completely eliminates, you know, putting some sort of a  
2 requirement that they have to have so much off-street parking  
3 in their -- I don't know if that makes sense or not. I don't  
4 know.

5 MR. MORGAN: When you are talking about that, I'm  
6 recalling, I thought that discussion happened back when the  
7 original discussions about the parking were had that, for the  
8 multi -- not the multi-family but the condo-type communities,  
9 that they were required to provide a certain number of  
10 off-street additional spaces beyond the driveways for the  
11 houses.

12 MR. SCHINDLER: Yeah.

13 MR. MORGAN: I will have to go back and look at my  
14 notes.

15 MS. FREEMAN: Oh, okay. I know we had talked about  
16 this before.

17 MR. MORGAN: I remember that discussion occurring  
18 about, you know, requiring that as part of the parking.

19 MR. McINTOSH: Right.

20 MR. SCHINDLER: Yeah.

21 MS. FREEMAN: Okay.

22 CHAIRMAN LINGENFELTER: I think the extension of the  
23 driveway is a good idea.

24 MR. McINTOSH: Yeah.

25 CHAIRMAN LINGENFELTER: You know, going to 36, I  
26 think that's a smart move. And then I think then, you know,  
27 augmenting that with the off-street parking requirement too  
28 would be helpful.

29 MS. FREEMAN: Okay.

30 CHAIRMAN LINGENFELTER: Eliminate that.

1 MS. FREEMAN: Well, I will go back, too, to our  
2 previous discussions on that and notes and see what we had,  
3 kind of, looked at and bring that back as far as a ratio of  
4 number of units before you need an additional guest parking and  
5 I can come back with a suggestion on that, if you want.

6 MR. SCHINDLER: Okay, please.

7 MS. FREEMAN: Okay. One other thing here, I think  
8 this -- There was an error when I was kind of eliminating some  
9 of the changes that we weren't going to do on the next page, on  
10 15.05. This is the Table 15.05-01. And I just noticed this  
11 right when I was about to walk out the door today, that the  
12 number of enclosed parking spaces was eliminated from the  
13 table. I think it was a merge Excel issue where it just  
14 eliminated it on page 15.16. I am sorry. I just printed it  
15 out. It really should be the two, two per unit.

16 So I am just going to put that back in so, for the  
17 single-family dwelling, a minimum of two enclosed parking  
18 spaces per dwelling is required, and for the duplex and also  
19 for the cluster and the multi-family dwelling. That provision  
20 was the same, it just got deleted by accident when I updated  
21 that. I will add that back in and you will have a clean copy  
22 of that next month.

23 So Section 16, some of the other changes that we  
24 were -- worked on before was under the 16.07, Permitted Uses,  
25 and just clarifying that in the PUD District, if you want to do  
26 the commercial center, you must go through the site plan  
27 review, as required in Section 36, and it's also a conditional  
28 use as set forth in Section 13.

29 Then under the Commercial Standards in 16.08, we  
30 already addressed parking in 16.09, so it was redundant to put

1 that under D there. So in 16.09, we're indicating that all the  
2 off-street parking must comply with Section 29 unless we  
3 specifically modified it here below.

4 Then there were just a couple housekeeping items in  
5 16.12, under the Township Preliminary Plan. And then as far as  
6 the preliminary plan submission, Letter D, just clarifying that  
7 that's an existing conditions map which includes the following  
8 features, such the topography, contour, property lines, street  
9 right-of-ways, et cetera.

10 And then under paragraph J, when submitting for the  
11 Township Preliminary Plan, they must provide that schedule for  
12 development. We're proposing to include in here, if the  
13 project is going to be built in phases, that they have to  
14 submit the phasing plan and a proposed implementation timeline,  
15 and that also must be submitted and is subject to approval  
16 through the Zoning Commission and the Trustees as part of that  
17 approval process.

18 And then under 16.13, under the Approval of the  
19 Preliminary Plan, Letter G, if the application and preliminary  
20 development plan are approved, then the Trustees and the  
21 developer -- by the Trustees, the developer has to file the  
22 plan, as indicated here, with the fiscal officer rather than  
23 the clerk, due to the terminology change.

24 And then new Sections H and I, which talk about, if  
25 the preliminary plan is approved, then the map becomes  
26 effective within 30 days along with the plan. This is  
27 considered a rezoning. So as long as there is no referendum,  
28 then it is effective after 30 days. And then at that point, if  
29 it's approved, then the developer should move forward with the  
30 subdivision review process with Lake County.

1           Then a few other housekeeping items in 16.14, which  
2 is the Township Final Development Plan. Some of the, under  
3 16.15, the Zoning Permits, this is just clarifying, you know,  
4 the final development plan for the phase is approved and any,  
5 any required subdivision plat is recorded. Then, at that  
6 point, the Zoning Inspector will issue zoning permits that are  
7 applied for that conform with the PUD District regulations.  
8 And it points you back to Section 11, which is the existing  
9 section on zoning permits and how we process zoning permits and  
10 when they're required and the time frames for when they expire.

11           And then, here, this would be a new proposed section.  
12 It's kind of a housekeeping thing. We already had some things  
13 in here that discussed changes from an approved development  
14 plan but, here, we're really clarifying, you know, if it's a,  
15 if it's a major change, this is what we're considering a major  
16 change and this is where you have to go back to the Township  
17 and ask for approval. If it's a minor modification, that is  
18 something that could be approved by the Zoning Inspector if it  
19 doesn't fall under one of those categories.

20           And then under -- on page 16.19, this is the RCD  
21 section of the P -- of the R-2. Under the Open Space Design  
22 Criteria, there is a provision in there that states that if you  
23 disturb any of that protected open space during construction  
24 that you have to revegetate it with compatible, you know,  
25 vegetation that was there. By adding this in, we're asking  
26 that they provide a landscape plan to the Township so we can  
27 see how they are going to actually, you know, restore those  
28 areas if they're disturbed during construction.

29           Something that I have never seen with, you know, just  
30 in my short time being here, like with Concord Ridge being

1 developed, some of the areas were definitely disturbed during  
2 construction for, you know, detention ponds or sewer  
3 extensions. And the language just isn't tight on how, you  
4 know, what they do with that after, you know, they disturb it  
5 and how they bring that back, you know, whether it be planting,  
6 you know, some native species back that were there or some  
7 additional trees. I just don't think there is good follow-up  
8 and that's why we are proposing to put that in there.

9           There was in your packet, too, I did -- while looking  
10 at this section, again, this has come up a couple times, there  
11 was a couple maps that I had provided. These are -- The light  
12 beige color is the commercial section of the PUD for Quail  
13 Hollow. So when you're on Crile Road and, like, the Key Bank  
14 and the Waffle House and there is a vacant parcel in between  
15 there, these -- and the Grist Mill offices, these are the  
16 previously approved commercial areas for the PUD.

17           With the Quail Hollow PUD, you're allowed up to no  
18 more than 5 percent could be devoted to commercial. This is  
19 Area, what is it, Area 1, I guess. There is potentially going  
20 to be another building here probably over the next few years.  
21 We've had a couple inquiries from the owner of the property and  
22 their architect as far as moving forward. I think back when  
23 they did, when you guys did the site plan review for the Key  
24 Bank, they did have a future phase, a Phase 2, of a small strip  
25 center-type development that they are proposing here.

26           And so that got us looking at the Table of Uses that  
27 we currently have in Section 16 for the, for the PUD. So also  
28 in your packet I gave you two documents. The one with the  
29 highlights on there, this is the existing Section 16.02. On  
30 Letter C, Number 2, it lists all of the permitted uses for the

1 commercial center of a PUD. If you look at -- I will just read  
2 a few of them but it's like antique shop, art gallery, bank,  
3 barber shop, beauty shop, card and book shop, boutique. Some  
4 of these terminologies seem a little antiquated.

5 And what I did just kind of as an exercise is I  
6 looked at, you know, our other Section 22 that has all of our  
7 other commercial and industrial districts and the uses that are  
8 allowed in there and looked at the terms that are in there,  
9 because all of those terms have definitions. Like "retail  
10 establishment in an enclosed building, financial institutions,  
11 personal services," we define all of those in Section 5, but we  
12 don't define any of these uses that are listed in the PUD  
13 currently.

14 And I went through and I kind of assigned what was in  
15 the PUD section. If this were to fall under our other  
16 district, you know, what category does this really fall under?  
17 So an antique shop would fit under our commercial -- or retail  
18 establishment within an enclosed building. The art gallery as  
19 well is also a retail establishment. The bank falls under  
20 financial institution. Barber shop is a personal service.  
21 Beauty shop is a personal service. And when you look at the  
22 list, a lot of these are just very specific retail  
23 establishments, especially on this first sheet.

24 On the second sheet, there are, you know, the  
25 restaurant - counter services, table service, and then a couple  
26 additional retail establishments, like the shoe store, sports  
27 shop, a wine and cheese shop, these are truly just retail  
28 establishment within an enclosed building. Professional  
29 offices. The athletic facility would fall under our other  
30 term, membership sports/fitness club. A day care facility

1 would fall under a child or adult day care center, and then the  
2 jewelry store under a retail establishment.

3           So this was kind of -- I wanted to know if you guys  
4 maybe wanted to look at this list of uses, see if there was  
5 something that maybe we need to add in or maybe just change the  
6 terminology to be a little bit more consistent with how we're  
7 regulating uses in the other commercial areas in Concord.

8           Right off the bat, a few that staff felt that should  
9 definitely be added to this list that aren't there currently  
10 are the medical and dental offices. We do have, like, the  
11 professional office but when you look at our existing  
12 definition of "medical and dental office" and then what we  
13 would categorized as administrative business and professional  
14 offices, they are two different things. So we probably should  
15 list the medical and dental office as being a permitted use in  
16 that commercial center, and then possibly the business service,  
17 business services, such as the mailing and copying center, and  
18 then even like studios for instruction, like fitness centers or  
19 other kind of studios.

20           MR. McINTOSH: It seems to me we have come across  
21 this conversation before when we talked about the Town Hall  
22 here, this area.

23           MS. FREEMAN: Okay, yeah.

24           MR. McINTOSH: We had a conversation where we did the  
25 same thing. I remember in a public hearing where they came to  
26 speak there was a lot of conversation, what if this, what if  
27 that? That was a lot of -- Where I think, in that section of  
28 the code, we also talked about -- we gave examples of things  
29 like boutique and hair salon and we were very specific in the  
30 sense of trying to -- as opposed to being general like you're



1 talking about with the categories.

2 So if we're going to go ahead -- I think this is good  
3 for uniformity and for clarity, because I remember, at the  
4 public hearing, the debate. We must have gone on for half and  
5 hour. An individual come in and would say, "Well, what about  
6 this? Would that be in this?" It was kind of one of those  
7 maddening conversations where it's like -- But it seems to me  
8 that we should probably look at that. I don't know if it was  
9 the Town Hall Commons text or the Neighborhood. I forget which  
10 one but it was when we did both of that work. It goes back a  
11 while.

12 MS. FREEMAN: Like the public was, the residents were  
13 questioning what type of uses? Okay.

14 MR. McINTOSH: Yeah, we had the public hearing on it  
15 and somebody, one of the people that came to ask a lot of  
16 question just kept sort of needling the point of what fits in  
17 this conversation? It's like, yeah, that would be. Well, why  
18 wouldn't this? We kind of ended up with in back and forth  
19 about specific things, like a hair salon versus a boutique.  
20 Well, what does a boutique mean? I remember the conversation  
21 in the public hearing was kind of, like you are saying, vague  
22 and, you know, how did we come out as a township saying -- So I  
23 think the work here is good but my thought process extends to  
24 taking a look at those sections to see if cleaning up that area  
25 as well would also fit with trying to make this all more  
26 uniform.

27 MS. FREEMAN: Cleaning up the areas in relationship  
28 to, to Town Hall?

29 MR. McINTOSH: Well, I think we need to -- I don't  
30 recall the specifics but I am thinking we had the same kind of

1 language in that zoning text where we talked about boutiques  
2 and random examples of the kinds of retail establishments but  
3 we were trying to be very specific. What you are saying is you  
4 are working backwards and saying, hey, retail is classifying  
5 things into different macro categories.

6 MS. FREEMAN: Yeah.

7 MR. McINTOSH: I'm wondering if, in that section of  
8 the zoning text, it wouldn't make sense to look at the same  
9 thing because I believe there we've also done the same thing  
10 where we've used, as you said at the opening, antiquated  
11 verbiage. Or am I wrong about that?

12 MS. FREEMAN: No, no. The Town Hall Neighborhood and  
13 Commons Districts use all this similar categories.

14 MR. McINTOSH: Oh, they do?

15 MS. FREEMAN: Yeah. If you look at the other handout  
16 I gave you, like, this was just straight from the Table of Uses  
17 in Section 22.04 and they are categorized as such.

18 MR. McINTOSH: In those categories, okay.

19 MS. FREEMAN: Yeah. So they're using the same  
20 definitions and categories as all the other commercial.

21 MR. McINTOSH: My mistake.

22 MS. FREEMAN: Huh?

23 MR. McINTOSH: I recalled that incorrectly then.

24 MS. FREEMAN: Oh, maybe at one point you guys were  
25 maybe moving in that direction and then it got changed.

26 MR. McINTOSH: I could have sworn I recently read  
27 something that was like that, too. I will go recheck my  
28 recollection on that. I think it's good. I like the  
29 consolidation and the organization on it. I think it makes a  
30 lot of sense.

1 MS. FREEMAN: And, obviously, we have to talk about  
2 this more. I did reach out to the two property owners that own  
3 the commercial area, because the other area is further down  
4 Crile Road that -- by the water tower south of Capital Parkway  
5 where Quail, the next -- Where the condos are being proposed  
6 for Quail Hollow, there is a commercial portion in the front.  
7 And I know, I believe, they were talking about kind of office  
8 uses there. But I did reach out to that property owner and the  
9 other property owner that owns the vacant land up by Grist Mill  
10 to see, you know, and ask them to take a look at that list and  
11 does this cover any uses that you think that you may be, you  
12 know, envisioning there.

13 We, our office, did get a call from a company, you  
14 know, a national retailer that was looking at siting here  
15 should this building be built. And based on this list of uses,  
16 it wouldn't, it wouldn't be permitted there but it is a type of  
17 retail establishment. So that kind of got me thinking, like,  
18 what else might come up that folks want to do that's retail and  
19 very similar to some of the other, you know, uses that are over  
20 there that aren't on this very specific list?

21 And if you, you know -- I haven't heard back, you  
22 know, from the property owners, you know, but they did want to  
23 review the list and they did want to talk to me about it. So,  
24 I mean, if I could get some additional, you know, feedback from  
25 them, if you want to, you know, hear what they -- what their  
26 thoughts may be if you want to entertain the idea of maybe  
27 amending this list.

28 The only, you know, by opening up to saying retail  
29 establishment in an enclosed, you know, building, that does get  
30 you the question of, like you are saying, well, what is that

1 then? What could that be? So there may be some uses that  
2 might fall under that category that some people may not  
3 necessarily want, I guess.

4 But I know, like, for the Grist Mill area, they don't  
5 sell the property, they own it, they lease it, so they will  
6 have control over what tenants they pick over there. For the  
7 other part, you know, I don't -- I am not sure whether the  
8 property owner is going to sell the property off or lease it.

9 MR. McINTOSH: Well, that kind of begs the  
10 conversation about zoning and what the Township can regulate  
11 and what we can't. I mean, the property owner owns it, they  
12 build it, they construct it, they lease the spaces. There is  
13 only so much -- Like I said, retail, how do we subcategorize?

14 MS. FREEMAN: Or do we need to?

15 MR. McINTOSH: Right.

16 MS. FREEMAN: I mean, we are not doing it in the  
17 other commercial districts. Any thoughts on that?

18 MR. SCHINDLER: Open for further consideration.

19 MS. FREEMAN: Further consideration, okay.

20 MR. SCHINDLER: Yeah, let's think about it for a  
21 while.

22 MS. FREEMAN: Okay.

23 MR. SCHINDLER: And move on.

24 MS. FREEMAN: Okay. If you have any, if anything  
25 comes to mind between now and the next meeting --

26 MR. SCHINDLER: We'll let you know.

27 MS. FREEMAN: Yeah. You know how to get a hold of  
28 me.

29 All right. So let's try to move through these others  
30 pretty quickly. Section 22, this was the Commercial Industrial

1 District section. This was on the Table of Uses, permitted  
2 uses. The drive-thru, you were eliminating drive-thru  
3 facilities from the Capital District.

4 And also in an effort to make these tables, like  
5 Table 22.04, a little bit more legible, I was playing with the  
6 idea of, like at the very top where we list the zoning  
7 districts, you will notice that the district name is kind of --  
8 the text is sideways. I was hoping that we could do that just  
9 so that we could make the font size a little bigger because  
10 this gets super tiny-tiny when you are looking at it. So this  
11 was a change that I was doing in here. It is not, like,  
12 considered a zoning change per se but it is a change in how the  
13 table looks in an effort just to make the font a little bigger  
14 so it's more legible.

15 But with doing that, I noticed under the -- at the  
16 very bottom of the table where we talk about building height, I  
17 was proposing to clarify it a little bit. Rather than saying  
18 "building specifications," it should read "maximum building  
19 height." And then for principal building, it would be, you  
20 know, as listed, the 40 feet, and then for accessory building  
21 it's 20 feet or whatever across the board.

22 And then on Section 22.09, these were changes that  
23 we've already seen under the Supplemental Requirements for the  
24 delivery and loading areas, just adding in the phrase that,  
25 wherever the site conditions permit, that the loading docks and  
26 loading door should be located on building facades that don't  
27 face public road right-of-ways to try to encourage that to be  
28 away from roads.

29 And then the Section 29 is the Off-Street Parking.  
30 This one we worked on a lot, giving it new headings and

1 reorganization and, you know, trying to incorporate into the  
2 parking requirements provisions that would allow for stormwater  
3 management features to be integrated into the parking lot  
4 islands and the landscaping and allow for, you know, pervious  
5 pavement materials when appropriate, so we included some of  
6 those into the purpose statements, being clear on the  
7 applicability as to when these regulations apply, how we're  
8 dealing with the existing uses, and then going into the general  
9 standards that are applicable to all the parking areas as far  
10 as maintenance, storage, landscaping, meeting the fire code,  
11 meeting all the drainage requirements, surfacing requirements,  
12 and then the lighting and striping.

13           Then the next section is the 29.04, the Off-Street  
14 Parking Requirements, where we go into the number of spaces  
15 that are required based on the use for the site and how we  
16 measure that.

17           MR. MORGAN: I have a couple quick things under  
18 29.03.

19           MS. FREEMAN: Yeah.

20           MR. MORGAN: Page 29.3, Section (F)(5), is that 25  
21 percent, is that from the Soil and Water calculation for the  
22 impervious pavement, impervious surfaces?

23           MS. FREEMAN: That came from a model regulation that  
24 we looked at.

25           MR. MORGAN: You might want to check with Soil and  
26 Water and make sure it meets their requirements for anything.

27           MS. FREEMAN: Okay.

28           MR. MORGAN: When you're talking about stormwater.

29           MS. FREEMAN: Okay.

30           MR. MORGAN: So that we can keep them matched up.

1           And one other thing under Surfacing, you may want  
2 to -- I don't know whether you want to put this in here or  
3 not -- but that, you know, dealing with the ADA and the  
4 handicapped when you're talking about the pervious pavements,  
5 some of those can't be used within the handicap-accessible  
6 routes. So I don't know whether we want to have that in our  
7 code or leave that to somebody else reviewing it, but --

8           MS. FREEMAN: That they shouldn't be used there?

9           MR. MORGAN: They shouldn't be used within -- Yeah,  
10 there are some pervious pavements that can be used under the  
11 ADA.

12          MS. FREEMAN: Okay.

13          MR. MORGAN: But there are some that can't be used.

14          MS. FREEMAN: Oh, okay.

15          MR. MORGAN: Like you can't use the, like, the open  
16 stone or open pavers with the stone in the middle of them  
17 because, you know, handicap, blind will trip on it or  
18 wheelchairs can't roll over them properly.

19          MS. FREEMAN: Okay.

20          MR. MORGAN: So there are certain types, certain  
21 types of pervious pavers that can't be used. The ones out  
22 front here, those can be, but there are other ones that are  
23 more open.

24          MS. FREEMAN: Okay. So how were you thinking --

25          MR. MORGAN: I don't know. I don't know how we would  
26 incorporate that but maybe just say that, you know, any  
27 surfaces shall comply with ADA requirements.

28          MR. McINTOSH: ADA.

29          MS. FREEMAN: Okay.

30          MR. McINTOSH: Well, I think the thing to do, figure

1 out if there is anything in ADA regs that would cover that that  
2 would supersede our -- but they'd have to be compliant to those  
3 regs and ours wouldn't --

4 MS. FREEMAN: Anyway, yeah.

5 MR. McINTOSH: Is that what you are saying?

6 MR. MORGAN: Right, yeah.

7 MR. McINTOSH: Somebody else's regulation.

8 MR. MORGAN: Some reference in there that they need  
9 to, you know, surfaces need to comply with the ADA regulations  
10 in regards to handicapped parking.

11 MS. FREEMAN: Okay.

12 MR. MORGAN: And access routes.

13 MS. FREEMAN: So the Table 29.04-A, which was the  
14 Minimum Off-Street Parking Standards, we had some modifications  
15 here. Under the single-family dwelling and duplex dwelling, we  
16 moved those driveway and parking area requirements to another  
17 section. So that's why they're being struck, struck through  
18 on this section because this is purely the number of enclosed  
19 parking spaces that must be required or that must be provided.

20 And some of the changes under the Library and  
21 Community Center, those were modified based on what we were  
22 changing in Section 13.

23 And then we did do some modifications under 29.05,  
24 the new section that talks about the alternative parking  
25 options, allowing for a process that would allow for deferred  
26 construction of the required parking and also allowing for  
27 shared or off-site parking.

28 And then in 29.06, the Design Standards for Parking  
29 Lots, and this is where we go into the parking space dimension  
30 requirements maintain the same, also the parking lot aisle



1 widths are the same regulations that we had. Something new we  
2 added was the bioretention and interior landscaping that would  
3 allow for the interior landscaping to be, those areas to be  
4 used for any bioretention approved from the County Engineer.

5 We talk about, in 29.07, the Parking Lot Access Drive  
6 Regulations as far as location and shared drives, which kind of  
7 brings it back to your question of a shared drive. I mean, I  
8 have to look at that in relationship to the definition. It  
9 would be something we do need to maintain based on how we're  
10 regulating it in 29.07.

11 And then we had -- You know how we went back and  
12 forth on the bicycle parking. We didn't make it required but  
13 we encouraged it in 29.08. And then the new Section 29.09 is  
14 the table for the waiting space requirements for the drive-thru  
15 facilities. This is where we the dictate the size of the  
16 waiting space and the number of them that would be required.

17 And then in Section 29.10, these were the Parking in  
18 the Residential Districts and these are, in Section A, this is  
19 specifically for single-family homes and duplex dwellings.  
20 It's the same provisions, you know, the driveway must be set  
21 back 3 feet from side lot lines. Driveways and parking areas  
22 can't exceed more than 40 percent of your front yard. Same  
23 regulations that we already had, just a little reorganization.

24 And then in Section B, this is where we talk about  
25 the parking of recreational vehicles and parking of the  
26 commercial vehicles and the display of vehicles for sale.

27 Are there any other questions or comments on that?

28 And then Section 34, the Fences, we were proposing,  
29 in Section 34.02, that all, you know, all residential dwellings  
30 that are proposing to put up a fence would need to get a zoning

1 permit unless they're exempt for an agricultural use rather  
2 than if, as the current regulations state, if you have 2 acres  
3 or more, you have to meet the requirements but you don't have  
4 to get a fence permit.

5 And then in Section 36, the Site Plan Review, some  
6 housekeeping items here, and then one of the major changes is  
7 that the Zoning Commission will be reviewing all the site plan  
8 review applications in addition to the design review regardless  
9 if it's a conditional use. So the app -- The developer would  
10 seek their conditional use permit from the BZA and then, if  
11 they're approved, then they would do like more of their full  
12 engineering plans and come in front of this Board to get the  
13 final site plan, their site plan review approval and design  
14 review.

15 And there were some housekeeping items on what we  
16 want to see on the site plan and some reorganization of that  
17 just to put it in a little bit of a different order because we  
18 want to see, like, the layout, the layout and utility plan and  
19 then we want, like, the separate landscape plan, which I know  
20 we get. I think this will just be easier for folks to follow  
21 when they're looking at our guidelines and they're actually  
22 putting their application together.

23 Just some, again, a little bit of reorganization and  
24 housekeeping. One thing that we were proposing to add more  
25 additional standards to was on the, on the page 36.12, which is  
26 Section 36.12, and here we go into Deviations From Approved  
27 Final Site Plan. Previously, we just stated that any  
28 deviations were prohibited. However, if you found you needed  
29 to make any deviations, you were to submit them to the Zoning  
30 Inspector, who then made a determination on whether or not you

1 had to come back in front of the Board or if it could be  
2 approved.

3 That left a lot of discretion to the Zoning  
4 Inspector, so we were proposing to add in some benchmarks.  
5 Okay, this would, if it falls under this, it's a major  
6 modification and it has to go back in front of the Zoning  
7 Commission for an amended approval. If it's not one of those  
8 items then it could be considered a minor modification that  
9 could be approved by the Zoning Inspector without coming back  
10 in front of the Board.

11 Comments or questions on any of that?

12 And then just a few edits in the Design Standard,  
13 Section 37, just making it clear that when you are coming for  
14 design review that we're also going to be reviewing, you know,  
15 all the buildings, any of the signs, your trash enclosures,  
16 your fences, and any lighting that's proposed and making sure  
17 that they're providing all that information as part of their  
18 application.

19 And that was -- 38, last section, we've got some  
20 changes here just clarifying, in 38.02, that these landscape  
21 and screening regulations apply to all nonresidential uses and  
22 developments, including the multi-family developments and the  
23 planned developments, and that the landscape plans must be  
24 submitted as part of this approval.

25 There was some rearranging of some existing  
26 regulations as it related to that the landscape plan must be  
27 prepared by a landscape architect or a landscape design  
28 professional, just moving it from 38.02 -- or 38.03 to 38.02.

29 And then we had made the change in 38.05, Interior  
30 Parking Lot Landscaping Guidelines, that when providing -- when

1 you have a parking, parking lot that contains more than 6,000  
2 square feet of parking for more than 20 vehicles, then you  
3 would be required to provide that interior parking lot  
4 landscaping.

5 The change that we were doing here is that we were  
6 going to include, when calculating the parking lot area, we are  
7 including the interior access lanes and any loading areas as  
8 well. We're not going to exclude those portions out anymore.  
9 I think it's easier for staff to review it and administer and I  
10 think you will be happy with the end result as far as the  
11 amount of landscaping within the parking lots.

12 And then here we reference, in that same  
13 Section 38.05(G), if you do the bioretention in the interior  
14 parking lot landscaping islands, that you are permitted to do  
15 that. You don't have to do the tree and then have the shrubs  
16 that would have been required in those areas.

17 Some of the other changes on the last pages was just  
18 fixing some colons and semicolons but it marked it as a change.  
19 On page 38.11, under the Maximum Fence Height, that little  
20 table there, the header says "Zone," however we refer to all of  
21 our zoning districts as "use districts," so that was just a  
22 change to show this is a use district and not necessarily the  
23 zone.

24 And then under the Recommended Vegetation List, we  
25 were adding the statement that native plantings are encouraged  
26 within the landscaping and they should be incorporated as much  
27 as possible into landscaping.

28 So what I can do is I will go back and we will look  
29 at some of the items we already discussed, do a little bit more  
30 cleanup on this and we can put it on the agenda for next month

1 again, if you so wish.

2 CHAIRMAN LINGENFELTER: Yeah. I think we should just  
3 keep moving forward on this.

4 MS. FREEMAN: Okay.

5 CHAIRMAN LINGENFELTER: Get the research done on the,  
6 you know, the items that you already brought up and get the  
7 research on the microbrewery and distillery and stuff.

8 MS. FREEMAN: Okay.

9 CHAIRMAN LINGENFELTER: And then I think we can knock  
10 that out --

11 MS. FREEMAN: Okay.

12 CHAIRMAN LINGENFELTER: -- in the next meeting and  
13 then maybe have it reviewed and then schedule a public hearing.

14 MS. FREEMAN: Okay.

15 CHAIRMAN LINGENFELTER: Get some of that put in,  
16 hopefully get it done before the end of the year maybe, maybe.

17 MS. FREEMAN: Possibly.

18 CHAIRMAN LINGENFELTER: Is that wishful thinking?

19 MS. FREEMAN: It could roll into '18. We're going to  
20 have -- We're expecting two site plan review applications for  
21 next month, too.

22 CHAIRMAN LINGENFELTER: Okay, good.

23 MS. FREEMAN: So -- And a design review.

24 CHAIRMAN LINGENFELTER: For where?

25 MS. FREEMAN: Well, the Crile Crossing retail center,  
26 they're ready to do their last, get their approval for their  
27 last building there. It's going to be the last building that's  
28 going to be built on the southern end.

29 CHAIRMAN LINGENFELTER: Is that the one they're  
30 talking about Chipotle?

1 MS. FREEMAN: It's the one that they've indicated on  
2 the plan that it's Chipotle. So they had to change some of the  
3 site improvements because Chipotle doesn't do, like -- They  
4 originally thought it was going to be like a regular drive-  
5 thru. But the building ended up being smaller than they  
6 originally thought was going to be there and they still are  
7 doing some kind of drive-thru concept. They're actually going  
8 to be in front of the Board of Zoning Appeals next week to get  
9 approvals on those conditional use permits. They're doing more  
10 of a pickup window but it is still somewhat of a drive-thru.  
11 So you'll, you know, make your order on your phone or your app  
12 or whatever and then you'll go through the pickup line and pick  
13 up your food.

14 CHAIRMAN LINGENFELTER: Oh, okay.

15 MS. FREEMAN: So there is some -- So you will be  
16 doing the design review on the building.

17 CHAIRMAN LINGENFELTER: Right.

18 MS. FREEMAN: Which we haven't received yet but we do  
19 have the site plan, so we are reviewing the site plan.

20 And then the other one, you may or may not be aware  
21 but the hardware store on Crile Road is looking to relocate  
22 further down Crile. The owner of the property currently owns  
23 Concord Motor Sports and so they are proposing to do an  
24 addition onto that building. It's about a 2,600 square foot  
25 addition and then they're going to do some rearranging of the  
26 interior to allow for the hardware store to move down there and  
27 keep the motor sports and then whatever they use, you know, the  
28 rest of the building for storage or some other --

29 CHAIRMAN LINGENFELTER: So they're going to get rid  
30 of Crile Road -- The hardware store will close?

1 MS. FREEMAN: That will close and then they'll reopen  
2 down the road.

3 CHAIRMAN LINGENFELTER: They'll move down to where  
4 the Concord Motor Sports is?

5 MS. FREEMAN: Yeah.

6 CHAIRMAN LINGENFELTER: Instead build an addition  
7 onto that building.

8 MS. FREEMAN: They're going to build an addition,  
9 they're going to have to do some additional parking, you know,  
10 landscaping, and then they're going to reconfigure the interior  
11 space. So it's an addition, plus some rearranging of walls  
12 and, you know, space between the motor sports and the hardware  
13 store.

14 CHAIRMAN LINGENFELTER: Right.

15 MS. FREEMAN: So that will be, that should be in  
16 front of you. We've given them some preliminary comments back  
17 on their application and they have another week or so to get  
18 the amended site plans back to us so we can send those to the  
19 other county agencies for review and then do the --

20 CHAIRMAN LINGENFELTER: Have they indicated what they  
21 are going to do with the existing facility?

22 MS. FREEMAN: Well, I guess, you know, that building  
23 is slated to come down completely. That street, you know, over  
24 the years, has been just a private drive.

25 CHAIRMAN LINGENFELTER: Yeah.

26 MS. FREEMAN: Well, last week it was dedicated, so  
27 now it's a new public street. It's Gold Court. There is five  
28 commercial lots split off that. And one party that they had  
29 interested in purchasing land was going to be where that  
30 hardware store is and further back towards the cul-de-sac where

1 the line is going to go. So I guess, according to the  
2 landowner, that building, you know, they're going to tear it  
3 down in anticipation of the new user coming in. We've heard  
4 that it's probably going to be a hotel.

5 CHAIRMAN LINGENFELTER: What? Really?

6 MS. FREEMAN: Yeah.

7 CHAIRMAN LINGENFELTER: Wow.

8 MS. FREEMAN: So we've had some preliminary  
9 discussions with --

10 CHAIRMAN LINGENFELTER: Interesting.

11 MS. FREEMAN: Yeah, one hotel and possibly two back  
12 towards the cul-de-sac there. If that happens, you will see  
13 it.

14 MR. SCHINDLER: Is this Holiday Inn always filled to  
15 capacity?

16 MS. FREEMAN: What's that?

17 MR. SCHINDLER: Is this Holiday Inn always filled to  
18 capacity? They feel --

19 MS. FREEMAN: Oh, on Auburn?

20 MR. SCHINDLER: Yeah.

21 MS. FREEMAN: From what I understand, he's always  
22 booked.

23 MR. SCHINDLER: Is he?

24 MS. FREEMAN: Yeah.

25 MR. PETERSON: Comfort Inn.

26 MS. FREEMAN: Comfort Inn, yeah.

27 MR. SCHINDLER: Oh, I am sorry. Comfort Inn.

28 MS. FREEMAN: That's okay, yeah. I didn't want to  
29 say the wrong one because it went from Baymont to Comfort. So  
30 which one is it?



1 CHAIRMAN LINGENFELTER: They're already doing major  
2 renovations over at Quail Hollow, too, right?

3 MS. FREEMAN: They just announced that they're going  
4 to.

5 MR. McINTOSH: Yeah.

6 MS. FREEMAN: Yeah. Which is great, yeah. So the  
7 new --

8 CHAIRMAN LINGENFELTER: So that's another big -- So  
9 that's going to be a big improvement.

10 MS. FREEMAN: Yeah. So the two hotels that we were  
11 having discussions with off Gold, off Crile on Gold Court, one  
12 of them was an extended stay and one was, you know, your  
13 traditional hotel. So I don't know if both will happen or not  
14 or one or none but that was the likely users of that, you know,  
15 property back there.

16 CHAIRMAN LINGENFELTER: Interesting.

17 MS. FREEMAN: Those would be, hotels are permitted  
18 uses. It wouldn't require a special permit. They just need to  
19 meet all the existing zoning regulations and get through --

20 CHAIRMAN LINGENFELTER: Right.

21 MS. FREEMAN: -- site plan review approval from you  
22 guys and the design review on the building and help facilitate  
23 that review process with the county agencies as well.

24 MR. SCHINDLER: Do you know how many rooms, possibly?

25 MS. FREEMAN: I think, actually, both of them were  
26 around 80.

27 MR. SCHINDLER: Eighty?

28 MS. FREEMAN: Yeah. Both of them were about 80  
29 rooms, four stories, yeah.

30 CHAIRMAN LINGENFELTER: Four stories?

1           MR. SCHINDLER: Four stories? Can they be four  
2 stories with our fire equipment? I thought it could only be --  
3           MS. FREEMAN: Yeah. The max in that district, what's  
4 the maximum height? Is it 46?  
5           MR. SCHINDLER: I thought our fire department could  
6 only do up to two stories.  
7           MS. FREEMAN: Talked to the Fire Department about it.  
8 They were pulled into the discussion. Now that we have that  
9 joint use of the ladder truck with Painesville, they are  
10 comfortable as long as they have, you know, the access around  
11 the building that's required for the fire code and they have,  
12 you know, they can get their trucks on the surfaces that are --  
13 that meet whatever their fire code, you know. They do, they do  
14 have the equipment which could reach up to the, you know, 50,  
15 55, 60 feet.  
16           MR. SCHINDLER: Gotcha.  
17           MS. FREEMAN: Yeah.  
18           MR. SCHINDLER: Okay.  
19           MS. FREEMAN: How tall is the hospital?  
20           MR. PETERSON: Four floors.  
21           MS. FREEMAN: Yeah. I mean, I think that's like 70,  
22 60, 70 feet tall.  
23           MR. PETERSON: Yeah, same height.  
24           CHAIRMAN LINGENFELTER: You're talking with your  
25 hands, getting all worked up. I know, you start hearing things  
26 like four stories and you just start --  
27           MR. PETERSON: Yeah. It's scary, isn't it?  
28           CHAIRMAN LINGENFELTER: You start getting glassy-eyed  
29 and start getting apoplectic over there.  
30           Are you done, Heather?

1 MS. FREEMAN: I am done.

2 CHAIRMAN LINGENFELTER: Thank you very much. That  
3 was a very good job, very nicely done. We will look forward to  
4 the ongoing work.

5 MS. FREEMAN: Okay.

6 CHAIRMAN LINGENFELTER: And the completion so we can  
7 get that slated for public hearing.

8 MS. FREEMAN: Okay.

9 CHAIRMAN LINGENFELTER: Okay. The next item on the  
10 agenda is going to be the correspondence report but that was  
11 omitted from the agenda. We won't mention names but it was.  
12 So any correspondence, Frank?

13 MR. SCHINDLER: None from me.

14 CHAIRMAN LINGENFELTER: Nothing. Morgan?

15 MR. McINTOSH: No, nothing specific.

16 CHAIRMAN LINGENFELTER: No. Rich?

17 MR. PETERSON: I did have a text or an email -- I  
18 forgot which -- from a resident in Concord asking if there is  
19 any truth to the rumor that we are building a high rise  
20 Section 8 apartment building in the intersection of I-90 and  
21 44, and I explained that we couldn't have high a rise and there  
22 had never been any discussion on any such building.

23 MR. SCHINDLER: Where did he get his question from, I  
24 wonder?

25 MR. PETERSON: Yeah, Section 8 no less.

26 CHAIRMAN LINGENFELTER: Gerry?

27 MR. MORGAN: No correspondence, sir.

28 CHAIRMAN LINGENFELTER: Nothing. Nothing on my end  
29 either.

30 The next item on the agenda is to do the approval of

1 the minutes for the September 5th meeting. I will entertain a  
2 motion.

3 MR. PETERSON: Mr. Chairman, I make a motion to  
4 approve the minutes of the September 5, 2017.

5 CHAIRMAN LINGENFELTER: Motion made.

6 MR. McINTOSH: Second.

7 CHAIRMAN LINGENFELTER: And seconded. All in favor  
8 say aye. Opposed say nay.

9 (Five aye votes, no nay votes.)

10 CHAIRMAN LINGENFELTER: All in favor, none opposed.

11 The last item on the agenda, well, the next-to-last  
12 item on the agenda is the next meeting will be November 7,  
13 2017. So make that note on your calendar.

14 And anything else you want talk about? Anything else  
15 anybody would like to see on the agenda for the next meeting?  
16 We've got some work to do. Sounds like we've got some  
17 interesting stuff coming down the road. Nothing? Okay. With  
18 that, the meeting is adjourned. Thank you.

19 (Whereupon, the meeting was adjourned at 8:45 p.m.)  
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30

1 STATE OF OHIO )  
2 COUNTY OF CUYAHOGA )

CERTIFICATE

3 I, Melinda A. Melton, Registered Professional  
4 Reporter, a notary public within and for the State of Ohio,  
5 duly commissioned and qualified, do hereby certify that, to  
6 the best of my ability, the foregoing proceeding extension  
7 reduced by me to stenotype shorthand, subsequently  
8 transcribed into typewritten manuscript; and that the  
9 foregoing is a true and accurate transcript of said  
10 proceedings so taken as aforesaid.

11 I do further certify that this proceeding took  
12 place at the time and place as specified in the foregoing  
13 caption and extension completed without adjournment.

14 I do further certify that I am not a friend, right-  
15 of-way, or counsel for any party or otherwise interested in  
16 the outcome of these proceedings.

17 IN WITNESS WHEREOF, I have hereunto set my hand and  
18 affixed my seal of office this 20th day of November 2017.

19 \_\_\_\_\_  
20 Melinda A. Melton  
21 Registered Professional Reporter

22 Notary Public within and for the  
23 State of Ohio

24 My Commission Expires:  
25 February 4, 2018