

CONCORD TOWNSHIP ZONING COMMISSION  
LAKE COUNTY, OHIO  
PUBLIC HEARING and REGULAR MEETING

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

July 11, 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**  
11668 Girdled Road  
Concord, Ohio 44077  
(440) 946-1350

7:01 p.m.

CHAIRMAN LINGENFELTER: Good evening, everyone. I would like to call this Concord Township Zoning Commission meeting, Tuesday, July 11th, to order. We have an agenda this evening to call -- to follow. We're going to skip the first item on the agenda and move to agenda item Number 2, which is to accept the certification of Trustee Resolution 2017-16, dated July 15 (sic.), 2017, to establish Section 21, the Innovative Site/PD Overlay District under Concord Township Zoning Resolution and provide for all text and map amendments necessary thereto and schedule a public hearing for the following zoning amendments.

The reason we're doing that is because we have received a Resolution from the Township Trustees, Resolution Number 2017-15, and I'll read it and it's also part of the public record:

A Resolution by the Board of Trustees of Concord Township, Ohio, to repeal existing Resolution Number 2017-10 to establish Section 21, the Innovative Site/PD Overlay District under the Concord Township Zoning Resolution and provide for all text and map amendments necessary thereto.

Whereas, the Board of Trustees of Concord Township, Ohio, desires to repeal existing Resolution Number 2017-10 to establish Section 21, the Innovative Site/PD Overlay District under Concord Township Zoning Resolution and provide for all text and map amendments necessary.

Now, therefore, be it resolved by the Board of Trustees of Concord Township, County of Lake, State of Ohio, that:

Section 1. The Board of Trustees hereby repeals

1 Resolution Number 2017-10 to establish Section 21, the  
2 Innovative Site/PD Overlay District under Concord Township  
3 Zoning Resolution and provide all text and map amendments  
4 necessary thereto, and all necessary proceedings on the part of  
5 the Township relevant to the Resolution Number 2017-10 are  
6 correspondingly to be permanently concluded.

7 Section 2. It is found and determined that all  
8 formal actions of the Board of Trustees of Concord Township  
9 concerning and relating to the adoption of this Resolution were  
10 taken in an open meeting of the Board of Trustees of Concord  
11 Township and that all deliberations of this Board that resulted  
12 in these formal actions were a meeting open to the public and  
13 in compliance with all legal requirements, including  
14 Section 121.22 of the Ohio Revised Code.

15 Now, therefore, this Resolution shall be in full  
16 force and effect upon its passage and approval by the Board of  
17 Trustees as further provided under Ohio law adopted this 5th  
18 day of July 2017. And it's certified by Amy Dawson, the Fiscal  
19 Officer.

20 So the end result of that is that, at this point, I  
21 will entertain a motion from the Zoning Commission to  
22 permanently table the zoning amendment as certified by  
23 Resolution Number 2017-10.

24 MR. McINTOSH: Mr. Chairman, I so move that we  
25 permanently table the resolution.

26 CHAIRMAN LINGENFELTER: I have a motion made. Do I  
27 have a second?

28 MR. PETERSON: Second.

29 CHAIRMAN LINGENFELTER: We have it seconded. All in  
30 favor say "aye." Opposed?

1 (Five aye votes, no nay votes.)

2 CHAIRMAN LINGENFELTER: Let the record reflect it was  
3 all ayes and none opposed.

4 So that's the end of the public hearing for the  
5 agenda item Number 1.

6 Now we will go back and revisit agenda item Number 2.

7 MR. PETERSON: One.

8 CHAIRMAN LINGENFELTER: Which now we're going to go  
9 back -- Agenda item Number 1, it's done. There will be no  
10 public hearing. There is -- It's being permanently tabled. So  
11 for those of you that came to have a discussion on that, there  
12 is not going to be any opportunity because there will not be a  
13 public hearing.

14 What we will be doing is we will be establishing,  
15 through the rest of this agenda, a public hearing to reschedule  
16 this. And there has been some changes and Heather is going to  
17 highlight those changes for us. And, of course, all this  
18 material, everything that's been done will be available to the  
19 public, you know, either through the township, the website or,  
20 you know, coming up here. If you want copies to take a look  
21 at, you know, I am sure you will be more than welcome to get  
22 whatever information you need. Okay?

23 So item Number 2 on the agenda is to accept the  
24 certification of Trustee Resolution 2017-16, dated July 5,  
25 2017, to establish Section 21, the Innovative Site/PD Overlay  
26 District under the Concord Township Zoning Resolution and  
27 provide for all text and map amendments necessary thereto and  
28 schedule a public hearing of the following zoning amendments  
29 for the August 1, 2017, meeting.

30 Let it be also noted that there is a, as a part of

1 this package, there is a resolution highlighting all the  
2 information, several pages highlighting all the changes that  
3 are going to be a part of that resolution.

4 That will include Amendment Number 1, which will be  
5 to amend the Zoning Resolution to establish the Innovative  
6 Site/PD Overlay District as a planned development in  
7 Section 21, and delete in its entirety Section 13.36,  
8 Innovative Site/PD as a conditional use in the Capital  
9 District.

10 Amendment Number 2 will amend the Zoning Map to  
11 rezone all the following presently designated parcel numbers to  
12 the Innovative Site/PD Overlay District. And I won't bore you  
13 all by reading all these numbers and digits and letters because  
14 it gets rather long but it's in the -- we will refer to these  
15 in the agenda as presented and further described in Exhibit A.

16 Okay. So I will accept a motion to schedule a public  
17 hearing for the following zoning amendments. Do we want to  
18 have Heather --

19 Heather, do you want to tell us about the changes  
20 first before we set the public -- I guess it really doesn't  
21 matter. We can set the public hearing but go ahead. Why don't  
22 you go ahead and explain what's going on.

23 MS. FREEMAN: Okay. So since our last meeting -- I'm  
24 sorry. That's not a public space.

25 AUDIENCE MEMBER: Oh, pardon me. For a second?

26 MS. FREEMAN: Okay. Since our last Zoning Commission  
27 meeting, we went and reviewed a little bit more in detail the  
28 Lake County Planning Commission's recommendations in regards to  
29 the proposed zoning amendments for the Innovative Site/PD  
30 Overlay District and we worked with our consultant that helped

1 us prepare the 2016 Concord Town Center Master Plan to present  
2 a further defined zoning that inconcludes appropriately  
3 designed density for Concord Township. So I just want to take  
4 a few minutes just to bring the Zoning Commission up to speed  
5 on what some of the notable changes were within what the  
6 Trustees just recertified with their Resolution Number 2017-16.

7 Okay. So as far as the map portion, I know you  
8 received this in your packets. The original overlay district  
9 was, total land area was about 175 acres. With the proposed  
10 changes, it's scaled back to about 107 acres.

11 And then we also looked at the residential density  
12 and we reviewed and modified that slightly as well. There is  
13 currently a maximum 30 percent restriction of the gross acreage  
14 of the Innovative Site Plan Development that could be used for  
15 housing. With the new text, we now include a limitation to  
16 that that no more than 10 percent of the 30 percent can be  
17 devoted to the vertical multi-family housing, which is  
18 exclusive of any townhomes and not part of a mixed use  
19 building.

20 We've also included the stipulation that no more than  
21 two vertical multi-family buildings may be directly adjacent to  
22 one another. This is in an effort to prevent any kind of  
23 apartment style complex feel where we would rather see them  
24 maybe with some townhomes in between. So this wouldn't allow  
25 more than two buildings directly adjacent to one another.

26 The density for the -- for all the multi-family units  
27 has been reduced as well down to no more than 20 dwelling units  
28 per acre. And, also, the multi-family buildings may have no  
29 more than between 10 and 20 units per building, which is a  
30 change.

1           We've also looked at the minimum square footage and  
2 we revised the text to include a little bit clearer minimum  
3 square footages for the dwelling units. I know it was a  
4 concern for the county. So the townhome is still a minimum of  
5 2,000 square feet; however, now that's inclusive of a two-car  
6 garage. For the vertical multi-family building, we have made  
7 the clarification that the minimum 1,500 square foot is for a  
8 two- to three-bedroom unit. For the multi-family dwelling  
9 units not located in a mixed-use building, therefore within the  
10 mixed-use portion of the Town Center development, the minimum  
11 square footage would be 950 square feet.

12           We've also further defined and looked at the building  
13 heights and the number of stories for the different uses within  
14 the proposed district. Previously, it was just a max height of  
15 60 feet but now we're proposing to regulate it based on the  
16 building type, actually. So commercial buildings shall be a  
17 minimum of two stories with a maximum height of 60 feet. For  
18 the mixed use buildings, no higher than 50 feet. And then we  
19 have also dictated, on the first floor, you have to provide at  
20 least a 14 foot high ceiling height, which is what commercial  
21 restaurants, retailers are looking for, that higher ceiling  
22 height. So we want to make sure that they are required to  
23 provide that.

24           Townhomes, two to three stories above grade with a  
25 maximum height of 35 feet, which is in line with all of our  
26 single-family dwellings.

27           Vertical multi-family buildings, no more than three  
28 to four stories, with a maximum height of 50 feet. And then  
29 any other principal buildings that not -- weren't further  
30 specified, no higher than 50 feet. So to kind of put that 50

1 feet in perspective, like, most of our other commercial  
2 districts have a max height of 40 feet, Capital District is up  
3 to 60 feet. For residential districts, it's 35 feet for  
4 residential uses.

5 And then as far as, like, the live/work units, those  
6 were questionable. They were -- as to whether or not anyone  
7 would really want to do that in Concord Township. And it was  
8 also unclear what the status would be if the business were to  
9 fail, what would happen with the residential component? So in  
10 an effort to eliminate any of those concerns, we just went  
11 ahead and limited that completely as a option within the  
12 Innovative Site Plan Development.

13 So there were some other minor changes but those were  
14 the, those were the major changes between the original text and  
15 what the Trustees reinitiated.

16 Any other questions from the Board on those?

17 CHAIRMAN LINGENFELTER: Yeah. Does anybody have any  
18 questions for Heather? Frank?

19 MR. SCHINDLER: No.

20 CHAIRMAN LINGENFELTER: Morgan?

21 MR. McINTOSH: No.

22 CHAIRMAN LINGENFELTER: Gerry?

23 MR. MORGAN: No.

24 MR. PETERSON: I'm good.

25 MS. FREEMAN: Okay.

26 CHAIRMAN LINGENFELTER: Thanks, Heather.

27 Okay. So I will accept a motion to set a public  
28 hearing for those, Amendment Number 1 and Amendment Number 2,  
29 for August, the August 1, 2017, meeting.

30 MR. McINTOSH: Mr. Chairman, I move that we accept



1 the Resolution 2017-16 to schedule a public hearing for  
2 August 1st for Amendments Number 1 and Number 2.

3 CHAIRMAN LINGENFELTER: Motion has been made.

4 MR. MORGAN: I will second that.

5 CHAIRMAN LINGENFELTER: And seconded. All in favor  
6 say "aye." Opposed?

7 (Five aye votes, no nay votes.)

8 CHAIRMAN LINGENFELTER: No opposed. Let the record  
9 reflect it was five yeses, no nos.

10 Okay. Item Number 3 on the agenda, by motion of the  
11 Township Zoning Commission, schedule a public hearing for  
12 following zoning amendments for the August, for the same  
13 August 1, 2017, meeting, and that would be Amendment 3,  
14 Amendment 4, Amendment 5, Amendment 6, 7, 8, 9, 10, 11, 12 and  
15 13. Again, these are all in the public record and available  
16 for people to review. I would like to get a motion.

17 MR. McINTOSH: Mr. Chairman, I move that we schedule  
18 a public hearing for August 1st for Amendments 3, 4, 5, 6, 7,  
19 8, 9, 10, 11, 12 and 13 as recommended by the Trustees.

20 CHAIRMAN LINGENFELTER: Motion has been made.

21 MR. PETERSON: Second.

22 CHAIRMAN LINGENFELTER: Seconded. All in favor say  
23 "aye." Opposed?

24 (Five aye votes, no nay votes.)

25 CHAIRMAN LINGENFELTER: None opposed. Let the record  
26 reflect five yeses, zero nos. Item Number 4 on the agenda is  
27 correspondence by the Zoning Commission members. Frank?

28 MR. SCHINDLER: None, Mr. Chairman.

29 CHAIRMAN LINGENFELTER: Morgan?

30 MR. McINTOSH: None.

1           CHAIRMAN LINGENFELTER: Rich?

2           MR. PETERSON: Not formal correspondence but I have  
3 had a lot of conversation with people in the community about  
4 what's going on in this particular development.

5           CHAIRMAN LINGENFELTER: Okay. Anything you want to  
6 share or just in general?

7           MR. PETERSON: No. Actually, I don't know if -- Is  
8 Linda Kangas here tonight? Linda, is that Linda back there?

9           MS. KANGAS: Yes.

10          MR. PETERSON: Okay. Linda, I talked to you on the  
11 phone and she had a lot of questions. I tried to answer some  
12 of those questions. Hopefully, I did it to your satisfaction,  
13 but we did have that conversation. I also had several  
14 neighbors and friends just asking, inquiring because it sort of  
15 appears that this hasn't been communicated as good as it could  
16 have been and I tried to fill in some of those blanks. So I  
17 had a lot of positive feedback, I had some negative feedback.

18          CHAIRMAN LINGENFELTER: Okay. Gerry?

19          MR. MORGAN: No correspondence, Mr. Chairman.

20          CHAIRMAN LINGENFELTER: None, okay. All right. And  
21 none for me.

22          I am sorry. I lost my spot there. Approval of the  
23 minutes of June 6th meeting. They were relatively short.

24          MR. PETERSON: Yes, they were.

25          MR. SCHINDLER: Mr. Chairman, I so move that we  
26 accept the minutes as written.

27          CHAIRMAN LINGENFELTER: Motion has been made.

28          MR. MORGAN: I will second that.

29          CHAIRMAN LINGENFELTER: And seconded. All in favor  
30 say "aye." Opposed?

1 (Five aye votes, no nay votes.)

2 CHAIRMAN LINGENFELTER: None opposed. Let the record  
3 reflect it was five yeses, zero nos.

4 Okay. The next regular scheduled Zoning Commission  
5 meeting will be August 1, which we will have the public  
6 hearing. I would strongly recommend that you do your research,  
7 you know, get the information from the Township. The Township  
8 is available, the office hours are posted. Heather is  
9 available. If you need information, you know, feel free to  
10 call, ask questions. Everybody is available. This is not a --  
11 It's not a secret. Everybody has been -- It's been quite well  
12 published and there has been a lot of meetings held and a lot  
13 of discussions over this. So if you have any questions or if  
14 you need any additional information to help you with your  
15 feelings on this proposal, you know, please feel free to, you  
16 know, reach out and get whatever information you are looking  
17 for.

18 I appreciate all of you coming this evening and this  
19 meeting is adjourned.

20 (Whereupon, the meeting was adjourned at 7:16 p.m.)  
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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,  
15 relative, or counsel for any party or otherwise interested  
16 in the outcome of these proceedings.

17 IN WITNESS WHEREOF, I have hereunto set my hand and  
18 affixed my seal of office this 24th day of July 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  
26  
27  
28  
29  
30