

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

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

February 6, 2018  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

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

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning  
Inspector  
Stephanie Landgraf, Esq., Legal Counsel

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

2 CHAIRMAN LINGENFELTER: Good evening, everyone. I  
3 would like to call this Concord Township Zoning Commission  
4 meeting of Tuesday, February 6 to order. As a matter of  
5 record this evening, we do not have audio or video. We had  
6 some -- due to a technical difficulty. So this will only,  
7 this meeting will only be available via the transcript from  
8 the public record that's being taken by our stenographer this  
9 evening.

10 So with that said, we will -- Item Number 1 on the  
11 agenda is the continuation of the public hearing for Zoning  
12 Amendment Application 1217-1, by Vincent Yurak, for Ciatto  
13 Consulting, LLC, requesting to rezone two acres of land  
14 located at 11473 Concord-Hambden Road, and being current  
15 Permanent Parcel Number 08-A-014-0-00-011-0, from THN, Town  
16 Hall Neighborhood District to R-1 Residential District.

17 Okay. So I will reopen the public hearing at this  
18 point and we will continue our deliberations. My intentions  
19 were, if there were any audience members from the citizenry  
20 available that were interested in making comment, I was going  
21 to reopen the public input portion of the public hearing; but  
22 there is nobody here, so we will go ahead and skip past that.

23 I guess, at this point, Mr. Yurak, if you'd like to  
24 come up and address the Board, if you have any other  
25 additional information you'd like to give prior to us  
26 deliberating further, come on up and please state your name  
27 and address for the record, please.

28 MR. YURAK: Vince Yurak, 4509 Prestwick Xing,  
29 Westlake, Ohio 44145. Just kind of going over, last week, the  
30 Planning, Planning Commission ended up approving, saying that

1 it is acceptable to go ahead and change it over.

2 CHAIRMAN LINGENFELTER: And we will enter their  
3 letter into the record when you're done.

4 MR. YURAK: And I do have all the dimensions -- I  
5 have it printed out if you guys want a copy of that -- of the  
6 land because you were asking last week how much frontage, how  
7 much backage, whatever.

8 Other than that, I mean, I really don't have  
9 anything new from what we discussed last week.

10 CHAIRMAN LINGENFELTER: Yeah, if you've got some  
11 drawings, I wouldn't mind taking a look to refresh our  
12 memories.

13 MR. YURAK: Yeah. (Handing.)

14 MR. PETERSON: Thank you.

15 MR. YURAK: I don't know if that's one or -- that's  
16 two. I printed a copy out for each of you.

17 CHAIRMAN LINGENFELTER: Great.

18 MR. SCHINDLER: Thank you.

19 MR. YURAK: There you are.

20 MS. LANDGRAF: Thank you.

21 MR. YURAK: You're welcome. Because I know you were  
22 asking about that and if it were to be split up into lots, how  
23 it could be. And I realize it's got to be slightly over half  
24 an acre, and it can only be split up into three lots at the  
25 most and, according to that, still having 100 foot frontage.

26 CHAIRMAN LINGENFELTER: And you're okay with that?  
27 The homes that you are considering or maybe thinking about  
28 putting in there, you know, based on the shapes of the lots  
29 and the distances, you know, the widths and everything, you  
30 would be comfortable building the kind of homes in there and

1 it doesn't put it too close to each other or involve any side  
2 yard clearance issues?

3 MR. YURAK: It would all abide by the current zoning  
4 issues right now with the 50 feet apart between the homes, so  
5 far towards the back, proper backage and frontage and so forth  
6 that, that it would fit into the Commission -- the zoning  
7 regulation right now.

8 CHAIRMAN LINGENFELTER: Okay.

9 MR. PETERSON: Did we confirm there is public sewer  
10 available there?

11 MR. YURAK: There is not right now.

12 MR. PETERSON: There is not.

13 MR. YURAK: But it can be tied in.

14 MR. PETERSON: But it's on the main road?

15 MR. YURAK: It's either the main road or they even  
16 said that there is one that they can tie into on the freeway  
17 that it would then flow downhill instead of having to be  
18 pumped up.

19 MR. PETERSON: The problem you might have is you  
20 need three quarters of an acre to have a septic tank.

21 MR. YURAK: It's not going to be septic.

22 MR. PETERSON: Okay.

23 MR. YURAK: We've already gone over it and I've  
24 consulted with some of the other people.

25 MR. PETERSON: Okay. So you can tie in?

26 MR. YURAK: Yes.

27 MR. PETERSON: Okay.

28 MR. YURAK: It would be a little cost but it would  
29 obviously be worth it. I wouldn't want anybody to have a  
30 septic system.

1           CHAIRMAN LINGENFELTER: Any other questions from the  
2 Board at this point to the applicant?

3           MR. SCHINDLER: Would all the homes be facing  
4 Concord-Hambden?

5           MR. YURAK: Correct, yes.

6           MR. SCHINDLER: Okay.

7           MR. MORGAN: And you have only owned this property  
8 for a short period of time?

9           MR. YURAK: I am sorry?

10          MR. MORGAN: How long, how long has this --

11          MR. YURAK: Since November 16th, it transferred  
12 over.

13          MR. MORGAN: It's only recent. It's not --

14          MR. YURAK: Correct, yes.

15          CHAIRMAN LINGENFELTER: Any other questions? All  
16 right, Vince, you can have a seat. Thanks a lot.

17          MR. YURAK: Thank you. Appreciate it.

18          CHAIRMAN LINGENFELTER: If we need any more  
19 information, we will call you back up.

20          MR. YURAK: Sure. Thank you.

21          CHAIRMAN LINGENFELTER: Thank you.

22          Okay. As a -- To enter into the record, we did  
23 receive a recommendation from the Lake County Planning  
24 Commission that was submitted January 31st. That was one of  
25 the reasons why we had to do a continuation of the public  
26 hearing, because we were not going to be able to get their  
27 feedback in order to make a decision last month. So we do  
28 have that comment from them now. It's dated January 31st, to  
29 Heather Freeman. It basically says that, "The Lake County  
30 Planning Commission took under consideration the above-

1 mentioned zoning district change at their regularly scheduled  
2 meeting on Tuesday, January 30, 2018. The Lake County  
3 Planning Commission recommended that the district amendment be  
4 made. The Planning Commission thought that the request was  
5 reasonable based on the shape of the parcel and that the  
6 nonconforming house on the property would become conforming.  
7 Sincerely, David Radachy, Secretary, Concord -- or the Lake  
8 County Planning Commission." So I would like that to be, that  
9 letter to be entered into the record on this deliberation as  
10 well.

11 Okay. So since we don't have any input from any  
12 citizenry, I guess we will go back to further discussions on  
13 the Board. We had some, I thought, some pretty good  
14 discussions in the last meeting. I thought a lot of  
15 interesting points were made. And I would like to, you know,  
16 continue that discussion and, if we can, I would like to bring  
17 this to a vote this evening.

18 So who wants to start? Rich?

19 MR. PETERSON: I'll start. I've given this a lot of  
20 thought. And based on the input from Lake County and  
21 everything, I look at this piece of property that I believe  
22 the house has been there since 1931. So even though we did  
23 change the zoning a number of years back, that house has  
24 always been on a residential piece of property. And,  
25 consequently, I don't have a real problem with making that  
26 residential, that two acres residential again. I don't see a  
27 compelling case to reject the application. That's my opinion.

28 CHAIRMAN LINGENFELTER: What are your thoughts  
29 regarding the rest of the property around the surrounding area  
30 and the impact that that decision does, how that impacts the

1 rest of the property? What's your thought on that?

2 MR. PETERSON: My thought is that, first of all,  
3 that's another discussion as to what we do with the other Town  
4 Hall Neighborhood property that we talked about in January.  
5 But as far as impact on what's there today, I see none. I  
6 realize it's somewhat of a spot zoning but then, again, it's  
7 using it for its actual purpose, which was always residential.  
8 And I know it's a special case. I would like it to go, if it  
9 were approved, I would like it to go down as a special case  
10 because I don't want to set a precedent that anybody can just  
11 change anything at any time.

12 However, when I look at this and see that it was  
13 residential before it became Town Hall Neighborhood and kind  
14 of got trapped into that different zoning, to return that  
15 parcel to residential, I don't think it has any negative  
16 impact on anything and would be a good location, I believe,  
17 for two or three new houses.

18 CHAIRMAN LINGENFELTER: Well, let me correct your,  
19 your recollection of the history of that parcel. That parcel  
20 was not residential before, it was manufacturing.

21 MR. PETERSON: Well, I am talking in 1931, it wasn't  
22 manufacturing.

23 CHAIRMAN LINGENFELTER: But it was manufacturing.

24 MR. PETERSON: I understand.

25 CHAIRMAN LINGENFELTER: And after manufacturing, it  
26 was converted to Town Hall.

27 MR. PETERSON: That is correct. I am speaking when  
28 it was built, it was residential. Then it happened to be  
29 trapped, I guess, into the manufacturing zoning and then  
30 trapped again into the neighborhood zoning. And to return it

1 to what it once was when the property was first built on,  
2 which I believe was 1931, I don't have a problem with.

3 CHAIRMAN LINGENFELTER: Okay. Gerry, any comments?

4 MR. MORGAN: My biggest concern with it is the spot  
5 zoning of it, the single lot in the center of the greater  
6 zoned, you know, district area. I am picking that. I  
7 understand the premise of there is a house on it now. Why  
8 can't it be -- Why not just make it the residential? But you  
9 are -- It still is residential as it currently is. It's what  
10 gets developed on there, you know. The surrounding area, I  
11 meant to look at it on a aerial map and see exactly what's  
12 there but you have a church on the one corner.

13 CHAIRMAN LINGENFELTER: That's right.

14 MR. MORGAN: You have lands that are the garden  
15 center.

16 CHAIRMAN LINGENFELTER: Across the street.

17 MR. MORGAN: Across the street.

18 CHAIRMAN LINGENFELTER: Right.

19 MR. MORGAN: And then, you know, down a little bit  
20 further down the road there you've got the office, light  
21 industrial.

22 CHAIRMAN LINGENFELTER: Right.

23 MR. MORGAN: Whatever those buildings are. So you  
24 are trying to slap three houses in the middle of that area. I  
25 understand you have, directly across the -- not directly  
26 across the street but down the street a little bit you have  
27 the Hunt Club entrance.

28 CHAIRMAN LINGENFELTER: Right.

29 MR. MORGAN: But you are still trying -- You're  
30 still spot zoning one single lot inside a greater district and

1 you are putting, you are proposing to put something in there  
2 that doesn't really fit with what's already there surrounding  
3 it.

4 CHAIRMAN LINGENFELTER: Okay. Any other comments?

5 MR. MORGAN: That's my main comment.

6 CHAIRMAN LINGENFELTER: Okay. Frank?

7 MR. SCHINDLER: Well, I know the history of this  
8 whole area over the years being on the Board but so much has  
9 changed over the years, too, as far as the zoning. We always  
10 wanted to hold that parcel as a factory a long time ago  
11 because we thought this would be one of the areas that we  
12 could have a tax base coming from. But since now we're  
13 developing the township center and things happening in the  
14 township, this area right now, I think, to me becomes kind of  
15 questionable.

16 If anything, I am with you about spot zoning and  
17 I've never been in favor of that. But then I think we  
18 discussed as a Board the last time, if we go ahead with this,  
19 we should really go ahead and maybe rezone that whole thing  
20 residential and do away with it the way it is right now  
21 because it's never going to, I think, be developed the way we  
22 intended it to be many years ago.

23 So I would probably vote in favor of doing this only  
24 under the pretense that we, as a Board, seriously look into  
25 rezoning that whole area. That's --

26 CHAIRMAN LINGENFELTER: Anything else?

27 MR. SCHINDLER: No, that's my comment.

28 CHAIRMAN LINGENFELTER: Morgan?

29 MR. McINTOSH: I kind of struggle with it a little  
30 bit. I think it comes back to the process, for me, is the

1 spot zoning. I don't know that, since our last meeting a  
2 couple weeks ago, I really object at all to the use. I am one  
3 for continuity and I don't like creating issues on our behalf.  
4 I mean, I certainly think, if that piece is to go residential,  
5 I'm with Frank. I mean, you've got the most active stuff in  
6 that area at this point is residential because you've got the  
7 residential on the northeast side that travel along Ravenna,  
8 then you've got the Hunt Club not far away.

9 And you have a huge period of time where that wasn't  
10 used for manufacturing. And it's the second request in some  
11 time for residential because we had that apartment complex  
12 that was requested to be there as well. That said, I would  
13 prefer single homes as this as opposed to that higher density  
14 type residential for that space.

15 So I don't know that it's -- I think what Frank is  
16 saying about looking at it is important but, you know, when  
17 and how, I don't know that we want to use that totally to  
18 drive it but it's definitely valid to be looking at that area.  
19 It doesn't seem like the use is particularly problematic other  
20 than it hasn't been developing. Maybe that's giving us some  
21 wake-up to look at that area again.

22 MR. PETERSON: I gave that a lot of thought as well,  
23 that the large parcel, the Osborne parcel behind this property  
24 is somewhat problematic because of topography and so forth.  
25 But on the south side of Concord-Hambden, that property that  
26 backs up to the Quail Hollow neighborhood, that strip along  
27 there, to me, would be very viable to turn back into  
28 residential and then we wouldn't have spot zoning because we  
29 would have a continuity path to this particular lot.

30 Having said that, we are not going to do that

1 tonight, so that's just something that I think we could look  
2 at it in the future. The future could be whenever we want it  
3 to be but I think that would be a good use of the property  
4 across the street as well.

5 CHAIRMAN LINGENFELTER: Heather, can you tell me,  
6 what is the, what is the total acreage of this whole piece  
7 right here that's on the north side of --

8 MS. FREEMAN: It is about 19 acres, 18 and a half  
9 acres, that whole --

10 CHAIRMAN LINGENFELTER: What's the requirement for a  
11 school?

12 MR. PETERSON: Fifteen.

13 CHAIRMAN LINGENFELTER: Fifteen?

14 MS. FREEMAN: Well, our zoning dictates a minimum  
15 five acres for a school.

16 MR. PETERSON: Right. But --

17 MS. FREEMAN: Are you talking about --

18 MR. PETERSON: The Township wants 15 acres.

19 CHAIRMAN LINGENFELTER: Yeah. I am just thinking,  
20 you know, if there was, you know -- We don't know what the  
21 resolution is going to be with that parcel that they are  
22 haggling over right now for building the new Riverside school.  
23 I was thinking that, you know, if this, I mean, being that  
24 this property sat empty for so long, it might be a viable, you  
25 know, it might be a viable option for the school to look at if  
26 it turns out that, you know, this parcel that they're looking  
27 at isn't going to come to fruition. That's just a thought.

28 And my concern would be, if we did this and took  
29 those two acres away from that, you know, zoned it  
30 residential, and then if they wanted to come in with a school

1 and that would be not enough, not enough property to do the  
2 school, then we would be kind of hamstringing that option.  
3 Not to say that they are even looking at it or to even  
4 considering it.

5 MS. FREEMAN: Well, tonight we're just looking at  
6 the two acres.

7 CHAIRMAN LINGENFELTER: Right, right, exactly.

8 MS. FREEMAN: So I don't think that can come into  
9 consideration.

10 CHAIRMAN LINGENFELTER: But I just want to make sure  
11 because I think that's something that, you know, I want to  
12 consider, at least, in the process of what happens there.

13 MR. PETERSON: And that's valid. I thought about  
14 that. I think Osborne has 16.7, I believe, that's on there  
15 but --

16 CHAIRMAN LINGENFELTER: Right.

17 MR. MORGAN: I mean, I don't necessarily disagree  
18 with Frank in the idea that you could do this in the bigger  
19 picture. I would be more in favor of it if we were sitting  
20 here in the bigger picture.

21 CHAIRMAN LINGENFELTER: Right.

22 MR. MORGAN: As opposed to saying, well, let's do  
23 this two acres and hope we do the rest of it, you know,  
24 somewhere down the road.

25 MR. SCHINDLER: I think if we do do it, I think we  
26 should be serious about seriously looking into it. We should  
27 put it on the agenda and then go ahead and move in that  
28 direction. Don't just say, "What if?" If I am in favor of  
29 doing this, I would definitely want to see us move along in  
30 rezoning it as quick as possible, personally.

1           CHAIRMAN LINGENFELTER: I haven't, I've given -- You  
2 know, after our last meeting, I thought there were some valid  
3 points brought up and I've given this some additional  
4 consideration but my, my resolve to not allow this hasn't  
5 changed. I think this is a very bad idea. I think it's  
6 not -- There is a lack of long-term thinking in this. We're  
7 basing it on some assumptions that we can maybe change the  
8 zoning in the rest of the district as it sits right now, and I  
9 think that that's an assumption and that's all it is to say  
10 that -- to think that it's a given that we can rezone this all  
11 into residential at some point and do something else with it.  
12 That's not what it is now.

13           And to do this, we are definitely creating a major  
14 issue, okay, because this is what's in front of us now. And  
15 we rezone this parcel, we are creating a problem for  
16 ourselves, whether you like it or not, whether you want to  
17 admit it or not or whether you want to think that way. This  
18 is going to be a problem because now that's going to impact  
19 exactly what we are going to do with the rest of Town Hall  
20 Neighborhood. Okay?

21           So whether we want to move towards residential,  
22 whether we want to designate it as something else, maybe the  
23 Town Hall Neighborhood has kind of lived its life and it's  
24 time to move on with that. That very well could be. I think  
25 that's a valid issue. But the bottom line is, if we rezone  
26 this residential now, we're going to be stuck with a two acre  
27 parcel in the middle of something else that's completely zoned  
28 in a different way and we're going to be stuck with that.  
29 Okay?

30           And then we're going to have to consider what we're

1 going to do moving forward as to how we're going to impact  
2 those people that are going to be living now on this two acre  
3 parcel. Okay? Because now anything that we do with the rest  
4 of this land, whether we decide to keep it as Town Hall  
5 Neighborhood or we make some adaptations, we change some of  
6 the conditional uses, we open it up to doing some other  
7 things, I don't know what the strategy is behind that. But  
8 whatever we do, we're going to have -- Everything we do is  
9 going to impact what these people that are going to be living  
10 on the two acre parcel are going to have to deal with, okay,  
11 and I don't think that's fair.

12 MR. McINTOSH: I think that's a valid point because  
13 even if we, if we grant this and then go in to, say, fine, at  
14 some point down the road, that being a month or two or six or  
15 nine, a year, whatever, we are stuck having to pivot around  
16 what we establish there.

17 CHAIRMAN LINGENFELTER: Exactly, right.

18 MR. McINTOSH: So what kind of residential? I mean,  
19 we have, you know, we have R-3. I mean, R-1 is now kind of --  
20 That's a definite going in a particular direction and we now  
21 have to, as we rezone everything else in response to this  
22 request, we have to pivot around that, what we have done, what  
23 we do here tonight. Everything else is going to have to be  
24 have developed around that.

25 CHAIRMAN LINGENFELTER: See, I --

26 MR. McINTOSH: If we look at this cleanly, the whole  
27 plot, if we're looking at changing the Town Hall Neighborhood,  
28 we look at the whole thing as one big unit and say this is  
29 what -- you know, what can we do with this house? It doesn't  
30 fit anymore. How do we rework all of it top to bottom, as

1 opposed to now you've got to work around an island that you've  
2 created.

3 CHAIRMAN LINGENFELTER: I wish this would have been  
4 for the rezoning of the entire, you know, for the entire  
5 parcel, the entire section -- that would make the decision a  
6 lot easier -- but it's not. The fact that we're doing this  
7 little small section, to me, we're carving off a little piece  
8 and then we're going to have to deal with it. And whether we  
9 deal with it six months from now, a year from now, whatever,  
10 we are going to have to deal with it. I think we're really  
11 seriously causing ourselves some undue, you know, unnecessary,  
12 you know, stress with this.

13 And I just, personally, I have nothing against the  
14 residential component and I have nothing against the whole  
15 concept as it sits. I just think it's really cruddy timing.  
16 I think it's bad timing. You know, we need to deal with this  
17 whole thing versus making a decision on this and then moving  
18 forward to doing the rest. That's my opinion and I don't, I  
19 mean, I just don't see anything that would change my mind on  
20 that. That's the way I feel.

21 MR. SCHINDLER: Has this thing about the school come  
22 up before?

23 CHAIRMAN LINGENFELTER: No. I just threw that out.  
24 I am just -- All I was thinking about, you know, I know we're  
25 in this thing with the school system and they're, you know,  
26 with this other parcel over here off of Concord -- off of 608.  
27 And, you know, I was thinking that this, I mean, certainly  
28 fits within the parameters acreage wise and everything else,  
29 access to sewers, you know. It backs up against 90. It's  
30 really not affecting a bunch of residential neighbors. I

1 thought, boy, if they were going to look at an option or an  
2 alternative outside of, you know, outside of where they're  
3 looking now that this would make, I think, personally, I think  
4 this would make a really good idea for that.

5 But that's not a matter that's, you know, that's  
6 here for discussion. My concern was, if we rezoned this,  
7 would we reduce the acreage amount in the rest of the section  
8 so that it was no longer compliant and then they would -- then  
9 it would cause a problem for maybe considering that as an  
10 alternative.

11 MR. McINTOSH: Well, yeah, we are predetermining how  
12 the rest of the area is going to go.

13 CHAIRMAN LINGENFELTER: Right, yeah. That's why I  
14 am so opposed to this.

15 MR. PETERSON: Let me ask why that matters, because  
16 anybody that were to purchase one of these lots, if we rezone  
17 it, would obviously know or, if they do their homework, would  
18 know that this is zoned differently currently and that what's  
19 behind them is kind of an unknown. It's always the case.

20 CHAIRMAN LINGENFELTER: And do you think for a  
21 minute that, if somebody buys a lot there, that they are going  
22 to ask those questions? No, they're not. But I will tell you  
23 what they will be, Rich, they will be here with pitchforks and  
24 torches demanding that we don't allow anything else to go in  
25 because it's going to affect their piece of property. That's  
26 what's going to happen. We have seen that over and over and  
27 over again since I've been on the Zoning Commission for a long  
28 time.

29 And this will -- These people may not say anything  
30 when they move in but five years from now when, all of a

1 sudden, something else is going to go in right in their back  
2 yard, there is going to be holy hell to pay, okay, and that's  
3 the truth.

4 MR. PETERSON: Well, that would be no different than  
5 these people that are over on Ravenna Road, these lots that  
6 back up to that property as well, there are four residential  
7 lots backing up to that property now.

8 CHAIRMAN LINGENFELTER: Right. And they've been --  
9 Most of the residents in those parcels have been outspoken  
10 opponents of anything to be done on this property in their  
11 back yards. I have sat through and I've had all those  
12 property owners in here and they've all voiced opposition to  
13 any development that would go on in this parcel. You know,  
14 they've always expressed in opposition, you know.

15 MR. PETERSON: I think the ultimate answer to this  
16 Town Hall Neighborhood currently zoned property might be two  
17 different answers. What's on the south side might be R-1, and  
18 on the north side, I am not sure what that should be.

19 CHAIRMAN LINGENFELTER: Right.

20 MR. PETERSON: Because of the shape of the land.

21 MR. McINTOSH: I think you're kind of making our  
22 case. I feel the same way. R-1 could be one thing but what  
23 else would we want to do? And, again, going forward with R-1  
24 on that one piece, in my view, limits -- You're kind of now  
25 dictating that the rest of it needs to be -- I think you are  
26 putting houses in there. You are saying, you're really  
27 pushing the rest of it towards --

28 MR. PETERSON: Well, on that premise it wouldn't  
29 really matter what this became if the south side became R-1  
30 because it would tie directly into this parcel that we're

1 talking about tonight, leaving us with 16.7 or whatever the  
2 acreage is of that other land to be determined for some future  
3 use. But it really wouldn't impact this because this would  
4 ultimately tie all the residential R-1 together and eliminate  
5 any kind of an island or whatever you want to refer to it as.

6 CHAIRMAN LINGENFELTER: And, I mean, those  
7 conversations are all well and good, gentlemen. However, the  
8 bottom line is, what is zoned is zoned now. We cannot  
9 deliberate on this application based on what might, what might  
10 happen or what direction this is going to go. We have to make  
11 a decision based on what is now and what this applicant has  
12 proposed to rezone it to. Okay? That's what we have to look  
13 at. And then whatever follows that is, is after the fact.

14 MR. PETERSON: And along those lines, I fully  
15 understand. My thinking though, whenever I get into these  
16 kinds of situations, is the zoning is to be for the benefit of  
17 the property owners really. We're trying to work with our  
18 property owners in Concord and do what's best. And if I look  
19 at what's best, here is a gentleman that owns two acres of  
20 land asking, in my opinion, what's a reasonable request and it  
21 doesn't really impact anything negatively. Then I say we have  
22 a resident or an owner of property that resides here that's  
23 asking a reasonable question and I just can't find a  
24 compelling case to say no to that.

25 CHAIRMAN LINGENFELTER: Any other comments?

26 MR. MORGAN: The only thing I would say on that  
27 though is the, with that zoning, with this, if we were to  
28 approve this tonight, you are still leaving this all as it  
29 currently is.

30 MR. PETERSON: Sure.

1 MR. MORGAN: So you have three residential lots here  
2 and then you could have an office building. I am not sure  
3 exactly what.

4 MR. PETERSON: You could have office, you could.

5 MR. MORGAN: Or a strip center right across the  
6 street from those houses. That just, in the grand scheme of  
7 it, doesn't look good in my mind. If you are driving down  
8 here, what you have down through here, you are going to  
9 have -- These are, these are going to wind up looking like if  
10 you drive through, you know, an older town that literally does  
11 have that where there wasn't zoning at the time. You've got  
12 the houses there and right across the street you've got, you  
13 know -- I know a gas station can't go in there -- but you've  
14 got a gas station right across the street.

15 MR. PETERSON: The argument in that case here would  
16 be there already is a house on the property and one of his  
17 options would certainly be to renovate that house and sell it,  
18 right? And so that same situation, whoever lives in that  
19 property could have an office and they always could have for  
20 the last ten years.

21 Also, this square that sits next to the drive going  
22 into Quail Hollow is a residential lot even though it's in  
23 Town Hall Neighborhood. There is a house on that piece of  
24 property as well. So that house could be adjacent to an  
25 office and the current house here could be opposite an office.  
26 So I don't see -- That doesn't change. I understand it but it  
27 doesn't change the situation. The fact is there is a house  
28 here and there is a house here and they're both in the Town  
29 Hall Neighborhood currently.

30 MS. LANDGRAF: Mr. Chairman, I think your

1 applicant -- Did you want to be heard again?

2 MR. YURAK: Yes, please.

3 CHAIRMAN LINGENFELTER: Yeah, come on up, Vince.

4 MR. YURAK: Thank you. I spoke with the agent who  
5 is a developer that's purchasing the eight and a half acres on  
6 the south side of the land, and their intention is to turn it  
7 into residential parcel right there and change it from the  
8 Town Hall Neighborhood. And that would --

9 CHAIRMAN LINGENFELTER: You are talking about the  
10 6.55 acres on the south side?

11 MR. YURAK: Plus the 2.08 that currently has a house  
12 and a residence right on it.

13 CHAIRMAN LINGENFELTER: Okay.

14 MR. YURAK: So that is their plan to take that. I  
15 don't know if it is to go R-1 or R-3 and, kind of, continue  
16 the Hunt Club but that is on them. I did reach out to them  
17 though and let them know my intention. And I know, when I  
18 spoke with the Osbornes, they said that they are also  
19 intending to do something with the land. I mean, my personal  
20 feeling, I wouldn't want to see an apartment complex there. I  
21 would, preferably, put a street there and do residential --  
22 that would be great -- or anything else.

23 And I know your intention for Town Hall Neighborhood  
24 was to break up from manufacturing to Town Hall Community over  
25 here, or Town Hall Center, and residential would definitely  
26 break that up in between there. It's definitely a good 19 and  
27 a half acres that would be a good buffer zone between that  
28 manufacturing and the community.

29 CHAIRMAN LINGENFELTER: Okay.

30 MR. YURAK: And if not, you have that 9.6 acres that

1 can become a school and then, right in the back yard, it can  
2 be residential there on that 9 and a half acres as well. A  
3 couple different options to go for.

4 CHAIRMAN LINGENFELTER: Right.

5 MR. YURAK: And Osborne is up for zoning it. He's  
6 been trying to sell it for the last three years because he was  
7 not successful in getting it changed over to residential and  
8 put up his apartment complexes. I would believe he would be  
9 open to changing something and doing something with that land  
10 as it is. I don't know if that helps open up your eyes with  
11 the other.

12 CHAIRMAN LINGENFELTER: Well, I mean, since none of  
13 those people are here tonight, it's hearsay.

14 MR. YURAK: I understand.

15 CHAIRMAN LINGENFELTER: Number one. Number two,  
16 their intention, that property is still zoned the way it is  
17 and they're assuming we would give them the -- grant their  
18 request to rezone it as well. So, you know, that's a -- You  
19 are sledding up hill on that one. That argument is pretty  
20 much, in my opinion, is a nonstarter for this whole thing.

21 MR. YURAK: Gotcha. I tried to get the agent to  
22 come today but he was already disposed with something else.

23 CHAIRMAN LINGENFELTER: Okay.

24 MR. YURAK: All right.

25 CHAIRMAN LINGENFELTER: Appreciate, appreciate the  
26 input.

27 MR. McINTOSH: Just to add a comment to that, I  
28 mean, I more or less with agree with Andy. However, I would  
29 suggest that, you know, that information coming to us is, at  
30 least in my mind, getting me to start to lean. It doesn't get

1 me off the fact that we're still spot in this one thing  
2 because everything else is sort of conversation and  
3 speculative at this point. But it's a step towards seeing  
4 some stronger continuity and that provides some clarity. So  
5 that starts to, that starts to give me a little bit more  
6 comfort that, okay, then, you know, if there is more interest  
7 in doing that kind of a thing out there, I think that blows  
8 the winds clearly much more towards us or, at least, me  
9 feeling a little more comfortable and we're headed in a  
10 direction that I can see some sense in. The one spot that you  
11 have on its own still just feels hodgepodgy.

12 MR. YURAK: Absolutely.

13 MR. MORGAN: It sounds like, from the discussion  
14 that we're having here, that if those other property owners  
15 were here as a group, we'd be having a completely different  
16 discussion.

17 MR. McINTOSH: If they were here and saying this was  
18 all consistent. Unfortunately, we don't have that.

19 MR. MORGAN: Right, exactly. No, that's what I am  
20 saying.

21 CHAIRMAN LINGENFELTER: That goes, that goes back to  
22 my point that the timing -- Your timing is terrible. I am  
23 sorry. Your timing is bad. You're the pioneer here. You're  
24 the guy coming in to propose the change but you're not the  
25 property, you're not the big property sharestaker, you know,  
26 shareholder in this progress. You're just looking at a little  
27 tiny piece and hoping that everything else around you will  
28 evolve the direction you want to see. But if we were having  
29 discussions at another time, I would have a completely  
30 different attitude.

1           But I can't, I can't deliberate this request on what  
2 could be or what might happen in the future. I have to  
3 deliberate it on what's now. And what's now, I just don't,  
4 you couldn't -- There isn't anything you could tell me that  
5 would change my mind. I think it's a bad idea. And I'm  
6 sorry. It has nothing to do with you or anything else. It's  
7 just bad timing and my mind is not going to change on that. I  
8 am just not -- I don't think it's the right thing to do right  
9 now.

10           MR. YURAK: That's why I reached out to the other  
11 two and asked if they could be here as well and, apparently,  
12 they were unable to. And like I --

13           CHAIRMAN LINGENFELTER: But even if they were here,  
14 I mean, even if they came up and said, "Yeah, we're going to  
15 put in a request," I mean, that's another public hearing.  
16 That's, that's going to impact a bunch of people that live --  
17 whose properties abut up against that. That's going to be a  
18 whole different can of worms. Okay? That's going to be a  
19 whole different scenario we are going to have to deal with.

20           And I'll tell you right now, even if I think we  
21 propose to rezone this whole thing residential, I am not so  
22 confident that that would be, that that would be met with a  
23 lot of open minds and welcome arms from the residents. You  
24 know, they've typically been pretty opposed to any increased  
25 density issues in the township and I think we would run into  
26 the same issue.

27           So I don't -- The rest of this going R-1 is, that's,  
28 to me, that's pie in the sky until we make it happen. So  
29 that's where we're at.

30           MR. YURAK: The other eight and a half acres on the

1 south side has been under contract since October and their  
2 plan is to come in here and change it. I don't know if  
3 they've reached out to you guys or not. I don't know what  
4 that is but --

5 CHAIRMAN LINGENFELTER: We haven't seen any  
6 applications at this point.

7 MR. YURAK: The other developer has changed land and  
8 rezoned land.

9 CHAIRMAN LINGENFELTER: Right. We have not -- There  
10 hasn't been any other -- Heather, has there been any  
11 conversations about any applications for that parcel?

12 MS. FREEMAN: I have been in discussion with someone  
13 about property on the south side.

14 CHAIRMAN LINGENFELTER: Okay.

15 MS. FREEMAN: That is currently zoned --

16 CHAIRMAN LINGENFELTER: But no formal application to  
17 rezone or anything?

18 MS. FREEMAN: No formal application but I have  
19 explained what the process is and it is likely that we will  
20 get an application soon.

21 CHAIRMAN LINGENFELTER: Right. So we will tackle  
22 that when we get to it and then we'll deal with that then and,  
23 hopefully, maybe we can, in the process during this time, now  
24 that we're seeing that there is some additional interest in  
25 going a different direction, you know, we can, we can tackle  
26 that issue then. And then maybe, at that point, you can come  
27 back and reapply and maybe the whole process will be  
28 completely different. I don't know. But I can't say. You  
29 know, we can't, we can't decide on your request today based on  
30 what might happen later this week or next month or next year,

1 just we can't. And I understand what's going on. Hang onto  
2 it and see what happens, in my opinion. See where things go.

3 MR. SCHINDLER: You can withdraw, withdraw your  
4 request based on everything you've heard us speak about.

5 MR. YURAK: Oh, no.

6 MR. SCHINDLER: Plus, and plus the backing you say  
7 you heard from the Osbornes, for example.

8 MR. YURAK: Yes.

9 MR. SCHINDLER: That would pull a lot of weight in  
10 itself. But you can see our hands are tied based on what  
11 we've tried to do in the past and the public hearings we've  
12 had in the past, which I've been involved with over the years.  
13 And, trust me, I don't think I want to go through that again  
14 another time because I've gone through it enough. I mean,  
15 it's like the Board said, if this was already agreed upon and  
16 could be done, it would be great.

17 MR. PETERSON: Keep in mind, Frank, we haven't voted  
18 yet.

19 MR. SCHINDLER: Oh, I know we haven't. I know we  
20 haven't. But we're having a discussion, gentlemen. And as  
21 we're discussing it, I am becoming more aware of things as  
22 we're discussing it this evening. I just want to let you  
23 know, you know, Andy is right that there is so much stuff now  
24 that we have to consider. But the basic thing is, tonight, we  
25 have to consider your request. We can't go with the what-ifs,  
26 unfortunately.

27 MR. YURAK: Exactly.

28 MR. SCHINDLER: If these people were here and if  
29 they had letters of intent, for example, that maybe might pull  
30 a lot more weight.

1 MR. YURAK: And I am also looking at the current  
2 zoning, the Town Hall Neighborhood. I have looked through all  
3 different communities. There is no zoning like it in the  
4 state. And I don't know if it's the denying of homeowners'  
5 right of the use of the land to become residential. I spoke  
6 to my lawyer about it. He mentioned some stuff but, I mean,  
7 nothing definitive. So I just want to look into that as well,  
8 too.

9 MR. SCHINDLER: You know, it's not like we're trying  
10 to come down on you --

11 MR. YURAK: Yeah.

12 MR. SCHINDLER: -- as a land homeowner. All right?  
13 We, as a Board, the township has to look at our overall plans  
14 for the whole township. The thing we're trying to mold and  
15 keep our township the way it's been growing, that's the thing.  
16 We're not trying to stop you, as a landowner, from doing what  
17 you want to do with your property. But we have to look at the  
18 overall picture and the things that have happened over the  
19 years that I've been on the Board, which has been many, of the  
20 residents and what they want to see our community become and  
21 that's the thing we have to look at, you know. I know it  
22 seems like we're restricting you as a homeowner but that's not  
23 our intent. We have to look at the overall picture tonight.

24 MR. YURAK: I understand. And as Andy mentioned,  
25 every time somebody's tried to go and rezone this parcel,  
26 they've been outspoken on this topic. We've been here for two  
27 weeks and nobody is saying anything.

28 MR. SCHINDLER: Yes.

29 MR. YURAK: So I don't know if that's a good thing.  
30 Well, I know it's not a bad thing because somebody would

1 definitely come out because, as you guys mentioned, they are  
2 very outspoken neighbors. They come to these town hall  
3 meetings when they don't like what's going on.

4 MR. SCHINDLER: I know.

5 MR. PETERSON: You know, gentlemen, I think we  
6 always have --

7 CHAIRMAN LINGENFELTER: All right. We're good then.  
8 Thanks.

9 MR. PETERSON: We always have to look at what is  
10 best for Concord. And, in my mind, if I look at this and  
11 today we have a two acre lot with a semi-rundown house with  
12 seven or eight dilapidated outbuildings on the property and I  
13 look at that and compare to what could be three nice homes  
14 there, I think what's best interest for Concord, in my mind,  
15 would be to do that.

16 CHAIRMAN LINGENFELTER: Any other comments? Frank,  
17 any other comments?

18 MR. SCHINDLER: No. I think I've had my fill. I  
19 think I'd feel more comfortable, gentlemen, if I knew we would  
20 move along and really seriously look at, okay, let's do this,  
21 go ahead with the total rezoning of the area. But since we  
22 can't --

23 MR. PETERSON: Well, that's not on the agenda  
24 tonight.

25 MR. SCHINDLER: It's not on the agenda but what I am  
26 saying is it makes me feel more comfortable of what could  
27 possibly take place in the future. You know what I mean?  
28 Just like when we zoned this this way, we were planning for  
29 the future and it hasn't happened. You know what I mean?

30 MR. PETERSON: Right.

1 CHAIRMAN LINGENFELTER: Morgan?

2 MR. McINTOSH: It is compelling that there is  
3 interest from the surrounding landowners. I think that  
4 certainly says something. But, again, we don't have anything  
5 tangible on that at the moment. So I still, I still sit here  
6 and say that it's spot zoning and it's not, it's not lacking  
7 -- or it's lacking a little bit of clarity about everything  
8 else.

9 CHAIRMAN LINGENFELTER: Gerry?

10 MR. MORGAN: Yeah, I think my opinion would -- My  
11 opinion on this would probably be completely different if this  
12 involved, you know, three or four other owners --

13 MR. McINTOSH: Yeah.

14 MR. MORGAN: -- that were here requesting as one  
15 group rather than a single lot amongst the greater zoned area.

16 CHAIRMAN LINGENFELTER: Okay. All right. No other  
17 input? Okay. With that, I will close the public hearing. At  
18 this point, I will take a motion in the affirmative for this  
19 zoning request. Please, I need a motion.

20 MR. PETERSON: To approve?

21 CHAIRMAN LINGENFELTER: Yeah, it has to be in the  
22 affirmative.

23 MR. PETERSON: Okay. No problem. Mr. Chairman, I  
24 make a motion that we approve this request to change the  
25 zoning as written.

26 MS. LANDGRAF: Let me just correct that. It would  
27 be a motion to recommend the approval to the Trustees.

28 MR. PETERSON: Right. I make a motion to recommend  
29 the approval to the Trustees as written in the agenda.

30 CHAIRMAN LINGENFELTER: Okay. I have a motion made.

1 Can I get a second?

2 MR. MORGAN: I will second it.

3 CHAIRMAN LINGENFELTER: Motion made and seconded.  
4 Heather, can you call the roll, please?

5 MS. FREEMAN: Mr. Morgan?

6 MR. MORGAN: No.

7 MS. FREEMAN: Mr. Peterson?

8 MR. PETERSON: Yes.

9 MS. FREEMAN: Mr. McIntosh?

10 MR. McINTOSH: No.

11 MS. FREEMAN: Mr. Schindler?

12 MR. SCHINDLER: No.

13 MS. FREEMAN: And Mr. Lingenfelter?

14 CHAIRMAN LINGENFELTER: No. Okay. The request for  
15 application has been denied. This is not your final. This is  
16 not the final determination. There will be -- Now this will  
17 be kicked up to the Trustees and they will also have a public  
18 hearing, at which point you'll have your opportunity to make  
19 your case to them. They could overturn our decision and grant  
20 your request or they could, you know, agree with our decision  
21 and continue on your way. So that will be your next step and  
22 you will be, you know, you will be informed when those events  
23 take place. Okay?

24 And we appreciate your taking the time to come in  
25 again, Vince. And like I said, this is not the final, this is  
26 not the final decision on this, you know. There is still  
27 another step in the process that you get to go through. So,  
28 you know, take it for what it's worth. Okay? All right.

29 MR. YURAK: Thank you.

30 CHAIRMAN LINGENFELTER: Thank you for coming in

1 again.

2 Okay. And we move on to Item Number 2 on the agenda  
3 which is the approval of the minutes of the January 2, 2018,  
4 meeting. I need a motion.

5 MR. McINTOSH: Mr. Chairman, I move we accept the  
6 minutes from the January 2 -- I've got two sets.

7 CHAIRMAN LINGENFELTER: We have two sets of January.

8 MR. McINTOSH: It says "2017" on the cover.

9 CHAIRMAN LINGENFELTER: Wow, we've got to fire --

10 MS. LANDGRAF: As amended.

11 MR. PETERSON: As amended.

12 MR. McINTOSH: As I am reviewing that, I am saying,  
13 "Wait a second." So I would make a motion that we accept the  
14 minutes as amended --

15 CHAIRMAN LINGENFELTER: Right.

16 MR. McINTOSH: -- for January 2, 2018.

17 MR. PETERSON: I will second that motion.

18 CHAIRMAN LINGENFELTER: Motion made and seconded.

19 All those in favor say aye. Opposed?

20 (Five aye votes, no nay votes.)

21 CHAIRMAN LINGENFELTER: Let the record reflect there  
22 were none opposed. Motion carries.

23 Okay. I will entertain a motion for the approval of  
24 the minutes of the January 23, 2018, meeting. Did they do the  
25 same thing? Yes. So we need to amend that. Wow.

26 MR. MORGAN: Mr. Chairman, in addition to that,  
27 there are several references in the meeting minutes to  
28 "Mr. Morgan." I was not present at that meeting and the  
29 assumption is that that should be Mr. McIntosh.

30 MR. McINTOSH: I was here but --

1 MR. MORGAN: Yeah, but there is no other reference  
2 in meeting minutes to a Mr. Morgan present for discussion, so  
3 my assumption is the references to Mr. Morgan should be  
4 Mr. McIntosh.

5 CHAIRMAN LINGENFELTER: Or Mr. Reppert.

6 MR. McINTOSH: Yeah, or Hiram.

7 MR. MORGAN: It could have been.

8 CHAIRMAN LINGENFELTER: Could have been your --

9 MR. MORGAN: Sorry. I just assumed, given the name.

10 CHAIRMAN LINGENFELTER: It could have been Hiram.  
11 That's okay. We will do -- We will make that note in the  
12 minutes. Okay.

13 MS. LANDGRAF: Which name are we correcting it to?

14 CHAIRMAN LINGENFELTER: Pardon?

15 MS. LANDGRAF: Which name are we going from and to?

16 MR. McINTOSH: Well, whomade the comments? We need  
17 to figure that out.

18 CHAIRMAN LINGENFELTER: It would probably be Hiram,  
19 I would assume.

20 MR. PETERSON: Are those yours, Hiram?

21 MR. REPERT: I don't know. Let me look.

22 MS. LANDGRAF: It might be pertinent to table these  
23 minutes until we can confirm.

24 CHAIRMAN LINGENFELTER: Right. Yeah, why don't we  
25 just -- Yeah, let's table this. Let's table the approval of  
26 the minutes of the January 23rd meeting until we can review  
27 and determine who the right person is that should be Hiram --  
28 I am assuming it going to be Hiram -- change the date, all  
29 right, and we will get that figured out. So we will put  
30 that -- We will carry that on to the next meeting for the

1 approval of the January 23rd minutes. That's a good  
2 recommendation, counsel.

3 Okay. We move on to Item Number 4, correspondence  
4 report by the Zoning Commission members. Frank, anything this  
5 time?

6 MR. SCHINDLER: Mr. Chairman, I don't have anything.

7 CHAIRMAN LINGENFELTER: Morgan?

8 MR. McINTOSH: Nothing.

9 CHAIRMAN LINGENFELTER: Rich?

10 MR. PETERSON: I had nothing, sir.

11 CHAIRMAN LINGENFELTER: Gerry?

12 MR. MORGAN: No comment.

13 CHAIRMAN LINGENFELTER: I had nothing. So we will  
14 say it was kind of quiet.

15 Okay. Then we have the audience participation  
16 portion of the evening which we allow any residents to have  
17 any comments to make about current zoning issues and there is  
18 nobody here, so let the record reflect that there was nobody  
19 here for the audience portion.

20 And then we will go to Item Number 6 on the agenda,  
21 which is the next meeting, which would be March already, March  
22 6 of 2018. That will be the first available Tuesday for our  
23 next meeting.

24 Heather, anything new or exciting coming up here  
25 that's going to be on the agenda or no?

26 MS. FREEMAN: You will have the site plan review and  
27 design review application for the Holiday Inn Express.

28 CHAIRMAN LINGENFELTER: Oh, okay.

29 MS. FREEMAN: That's being proposed on Gold Court  
30 off Crile Road.

1                   CHAIRMAN LINGENFELTER: Good. All right. Nothing  
2 else then?

3                   MS. FREEMAN: That's all we have so far other than  
4 the minutes.

5                   CHAIRMAN LINGENFELTER: Right.

6                   MS. FREEMAN: Unless there is anything else you  
7 want --

8                   CHAIRMAN LINGENFELTER: Weren't you saying you've  
9 had some conversations with some people who have expressed  
10 interest in that parcel across the street there?

11                   MS. FREEMAN: Yes.

12                   CHAIRMAN LINGENFELTER: On Concord-Hambden, okay.  
13 Do you think that's kind of, like, coming?

14                   MS. FREEMAN: There was an intent to submit an  
15 application to this Board probably this month, so that might  
16 be on the agenda, some kind of rezoning or amendment. It  
17 would be scheduling a hearing, if that's the case.

18                   CHAIRMAN LINGENFELTER: Okay. Now, now that this  
19 issue with this application is behind us, you know, as a  
20 Board, do we want to charge our Zoning Department to start  
21 looking into making some changes in this, in this zoning area?  
22 Do we want to make some -- Do we want to review this? Do we  
23 want to talk about potentially maybe increasing the usages or  
24 maybe completely changing the structure altogether?

25                   I mean, you heard the applicant. We've already had  
26 one applicant that was here for a rezone to residential. He's  
27 claiming that there's people that are interested in rezoning  
28 the eight acres across the street to residential. I mean, now  
29 is the time, if we're going to do this, we should probably get  
30 this on our agenda and start having some meaningful

1 conversations.

2 MR. PETERSON: I agree. Based on what Frank said  
3 tonight, he makes a good point. Let's get it on the agenda  
4 because it sounds like we're going to have to deal with it at  
5 some point.

6 CHAIRMAN LINGENFELTER: Oh, yeah. I mean, we've  
7 already had to deal with it.

8 MR. PETERSON: Right.

9 CHAIRMAN LINGENFELTER: We just did. So we are  
10 going to have to deal with it again.

11 MR. PETERSON: Right.

12 CHAIRMAN LINGENFELTER: If these guys want -- If  
13 we're going to have an owner that's going to come in here with  
14 all eight acres across the street, that's going to be a pretty  
15 compelling argument to, to grant that request if we don't have  
16 anything done at this point. But that's a pretty big chunk of  
17 that Town Hall Neighborhood, you know, that would go in your  
18 -- And I think from a congruent standpoint, from a, you know,  
19 from an application, zoning application standpoint, that makes  
20 more sense to me than what's across the street.

21 Now, if we're going to change everything, I think  
22 that we should, you know, we should take that under  
23 consideration. And I don't know. Do we want to tackle the  
24 Town Hall Commons and the Town Hall Neighborhood or do we want  
25 to just deal with the Town Hall Neighborhood? Do we want to  
26 look at this whole area again? Because, you know, I mean,  
27 some comments have been made with regards to the town hall  
28 center over off of, you know, off of Auburn Road but that's  
29 been tabled. That's not -- There is nothing going on right  
30 now with that. That has not been approved. That whole issue

1 was pulled, was pulled.

2 MR. PETERSON: But all the activity is on Crile.

3 CHAIRMAN LINGENFELTER: Yes, I'm not going to argue  
4 that point. That's true. And, obviously, our desire is for  
5 things to develop in that direction over off of Auburn Road.

6 MR. PETERSON: Right.

7 CHAIRMAN LINGENFELTER: But that hasn't -- that's  
8 been, that hill -- That battle hasn't been won yet, you know,  
9 so we don't even know if that's going to happen or not.

10 So, you know, do we want to do something with this  
11 now and then maybe something happens, you know, in the near  
12 term future, a manufacturing company comes in or light  
13 manufacturing, R and D facility comes in, wants to build a  
14 facility over there and take a big chunk of that land and, all  
15 of the sudden, the whole town hall, you know, that town hall  
16 center kind of thing could go up in smoke. Right? It could.

17 MS. FREEMAN: I do want to correct Mr. Chairman on  
18 that a little bit.

19 CHAIRMAN LINGENFELTER: Please.

20 MS. FREEMAN: We do have Capital zoning district  
21 text in place, along with the land that's rezoned to Capital  
22 that this Board did back in 2015.

23 CHAIRMAN LINGENFELTER: Right.

24 MS. FREEMAN: So there is some text that's already  
25 in place --

26 CHAIRMAN LINGENFELTER: Right.

27 MS. FREEMAN: -- that would allow the town center to  
28 be developed.

29 CHAIRMAN LINGENFELTER: Right.

30 MR. PETERSON: Right.

1 MS. FREEMAN: And there was the legislation that was  
2 in front of this Board last year that didn't move forward was  
3 going to -- was proposing to create a larger area and also  
4 make the regulations a little bit tighter --

5 CHAIRMAN LINGENFELTER: Right.

6 MS. FREEMAN: -- on the benefit of the community.  
7 So what we have in place, realistically, a town center could  
8 be developed, probably need some variances because not  
9 everything is perfect. But I just wanted to say that, you  
10 know, that still is a viable option over at Auburn and  
11 Capital.

12 CHAIRMAN LINGENFELTER: Sure.

13 MS. FREEMAN: And the zoning is in place for it.  
14 It's not, you know, the zoning that would be ideal.

15 CHAIRMAN LINGENFELTER: Right.

16 MS. FREEMAN: But it is in place that allows the  
17 mixed-use town center concept with the townhomes.

18 CHAIRMAN LINGENFELTER: Right. And my question is,  
19 does that then make this area irrelevant? You know, are we  
20 willing to give up, you know, the Town Hall Neighborhood, Town  
21 Hall Commons concept here and focus our efforts on Auburn Road  
22 and that Crile Road area?

23 MR. PETERSON: I think the Town Hall Commons, there  
24 is nothing wrong with that because, historically, that goes  
25 back to when Concord was known as Wilson's Corners and that  
26 that is Wilson's Corners right there at that intersection.  
27 And leaving that for some historical future, I see nothing  
28 negative about that.

29 We're talking -- I was on a team years ago that  
30 talked about putting another park in there between here and

1 the schoolhouse some day and things like that. So this  
2 doesn't seem to affect anything. However, the Town Hall  
3 Neighborhood does, as we see.

4 CHAIRMAN LINGENFELTER: Right. And don't forgot  
5 that there is -- that Ravenna Road is not the delineation for  
6 a big chunk of that Town Hall, you know, the Town Hall  
7 Neighborhood or Town Hall Commons.

8 MR. PETERSON: No, it's across the street.

9 CHAIRMAN LINGENFELTER: There's a whole stretch of  
10 properties that are zoned --

11 MR. PETERSON: Across the street.

12 CHAIRMAN LINGENFELTER: -- across the street there.

13 MR. PETERSON: And that's the original downtown  
14 Concord when it was Wilson's Corners.

15 CHAIRMAN LINGENFELTER: Right. So I don't know. I  
16 would prefer if we, you know, get something on the agenda.  
17 Maybe you can do some research, Heather, give us some options,  
18 take a look at usage maybe.

19 MS. FREEMAN: I can do like an inventory of, you  
20 know, what the existing land uses are there.

21 CHAIRMAN LINGENFELTER: Right.

22 MS. FREEMAN: Give some data on what properties are  
23 zoned Town Hall Neighborhood and I can take a look at the  
24 Commons, look at the different ownership, what the uses are,  
25 some background-type information.

26 MR. PETERSON: Do we have to do that or can we just  
27 discuss what we already know?

28 MR. McINTOSH: I think having some of that would be  
29 helpful, yeah.

30 MS. FREEMAN: And then just have discussions about

1 it. I mean, you don't have --

2 CHAIRMAN LINGENFELTER: Then we have a work session  
3 and we --

4 MR. PETERSON: That's what I'm thinking.

5 CHAIRMAN LINGENFELTER: We have a work session, we  
6 discuss it and we come up with an idea. And then if a rezone  
7 is something we should consider, then we'll schedule a public  
8 hearing for it, make it happen.

9 MR. SCHINDLER: It's not only that but I would like  
10 to really -- He brought up tonight, you know, all this intent  
11 from the other owners. I would like to really know, are they  
12 really serious? You know, have them here or a letter or some  
13 kind of communication indicating that this would be something  
14 that they are looking -- they want to do. That would give us  
15 more, at least me, more of a comfort level if we are going to  
16 be doing something like this that it's going to fly, you know?

17 MS. FREEMAN: Right.

18 MR. SCHINDLER: I just don't want to spin our  
19 wheels. But what he's saying makes it sound like maybe the  
20 interest is out there to start doing this residential stuff  
21 and that's what I would like to know.

22 MS. FREEMAN: You want to hear it from people.

23 MR. SCHINDLER: Yeah, I want to hear from it them.

24 MS. FREEMAN: Right. And I would just caution this  
25 Board, too, that the map amendment request that was before you  
26 this evening is not finished. So, as you said, you know, the  
27 Trustees still have to make a decision and then there is, you  
28 know, the 30-day effective period.

29 MR. SCHINDLER: Right.

30 MS. FREEMAN: So I would just caution that we don't

1 jump into something right away.

2 CHAIRMAN LINGENFELTER: No, no.

3 MR. SCHINDLER: No.

4 CHAIRMAN LINGENFELTER: That's why I think a work  
5 session -- I think you doing some inventory.

6 MS. FREEMAN: Yeah.

7 CHAIRMAN LINGENFELTER: A little bit of research,  
8 uses, things like that, I think, would be wise.

9 MS. FREEMAN: Okay.

10 CHAIRMAN LINGENFELTER: It doesn't hurt to  
11 investigate until the Trustees have their meeting and make a  
12 decision, but it wouldn't hurt to, at least, have some work  
13 sessions and have some discussions as to what we do.

14 MR. MORGAN: Some of that may be guided by owners on  
15 the south side --

16 CHAIRMAN LINGENFELTER: Right.

17 MR. MORGAN: -- of the street there coming forward  
18 with a proposal.

19 CHAIRMAN LINGENFELTER: Exactly, right, yeah.

20 MR. SCHINDLER: Yeah.

21 CHAIRMAN LINGENFELTER: Okay. I think that's good.  
22 That's something we should try and put on the agenda for the  
23 next, for the next meeting, Heather, if you can.

24 MS. FREEMAN: Sure.

25 CHAIRMAN LINGENFELTER: You know, it would be nice.  
26 It seems like it's going to be an issue that we are going to  
27 be seeing again at some point.

28 MR. SCHINDLER: Yeah.

29 CHAIRMAN LINGENFELTER: So better to, you know, get  
30 it under way than to be caught again with, you know, with

1 having to make a decision without having any real underlying  
2 uses defined.

3                   So that's -- Any other comments? Anything else from  
4 the Board?

5                   MR. SCHINDLER: No.

6                   CHAIRMAN LINGENFELTER: Okay. The meeting is  
7 adjourned.

8                   (Whereupon, the meeting was adjourned at 7:53 p.m.)

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STATE OF OHIO )  
COUNTY OF CUYAHOGA )

CERTIFICATE

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

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

I do further certify that I am not a friend, relative, or counsel for any party or otherwise interested in the outcome of these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 15th day of February 2018.

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Melinda A. Melton  
Registered Professional Reporter  
  
Notary Public within and for the  
State of Ohio  
  
My Commission Expires:  
February 4, 2023