

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

August 7, 2018
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Morgan McIntosh, Chairman
Richard Peterson, Vice Chairman
Frank Schindler
Andy Lingenfelter
Susan Germovsek

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Jared Winer, Planner/Assistant Zoning Inspector

Melton Reporting
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1 7:00 p.m.

2 CHAIRMAN McINTOSH: Good evening. I would like to
3 call the Concord Township Zoning Commission meeting for
4 Tuesday, August 7, 2018, to order, a relatively short agenda
5 this evening. Our first agenda item is a work session for the
6 Town Hall Neighborhood and Town Hall Commons District, which
7 is presently tabled. And being it's been tabled since March,
8 I thought I would entertain, at least, some dialogue and
9 discuss whether we might want to reopen it or if we want to
10 just set that aside. I know that last time we were kind of in
11 a bit of a crossroads. We had a bunch of properties coming at
12 us and that stuff has all sort of moved along and we haven't
13 really resolved that.

14 I don't know. Heather, have you had any further
15 correspondence with anybody about that area? Is there any
16 information that might be relevant to whether we keep this on
17 the agenda or move it along?

18 MS. FREEMAN: Well, maybe I will just give a little
19 brief history of what we did and why we even started, kind of,
20 looking at that. So back in January of this year, we had that
21 map amendment request on Concord-Hambden Road to rezone those
22 two acres from Town Hall Neighborhood to R-1, and that really,
23 you know, got this Board taking a look at, should we start
24 studying this area?

25 And then right after that, we also got the zoning
26 text amendment from a different applicant to try to change the
27 Town Hall Neighborhood District to allow for residential in
28 there that affected all of that Town Hall Neighborhood. We
29 went through those public hearings and, at that time, we kind
30 of -- well, back in March then, back in March -- Let me back

1 it up -- I provided a little background on both the Town Hall
2 Neighborhood and Town Hall Commons Districts. What are the
3 existing land uses there? What was surrounding them? What
4 was permitted and conditionally permitted in the districts?
5 And then we decided, at that point, that we would table any
6 further discussion because we had these other pending
7 applications in front of the Board, to try to wait those
8 things out to see what happened. So it has been tabled for
9 the last few months.

10 There was actually an applicant, an applicant went
11 in front of the Board of Zoning Appeals and even tried to get
12 a use variance on some of the property that's currently zoned
13 Town Hall Neighborhood. That request was denied.

14 But since that time, too, we've been really busy
15 with other things happening in the Crile Road corridor that's
16 got staff super busy with development plans. As you know,
17 we've had another public hearing for another map amendment
18 along Crile Road to rezone about three acres from B -- from
19 R-2 PUD -- I am sorry -- from the R-2 PUD to BX, which
20 ultimately did get approved by the Trustees. And that was the
21 old strip of B&O right-of-way that ran behind Concord Motor
22 Sports and then 84 Lumber. So that was approved and that's
23 why you had in your packet the revised Zoning Map, too,
24 because that was the change that was reflected on the revised
25 Zoning Map.

26 But since then, too, staff and this Board have
27 reviewed several other site plan review applications. Things
28 are really picking up on the -- in the corridor. We've looked
29 at the Holiday Inn Express. We had a site plan review
30 application for the addition to Anytime Fitness, a site plan

1 review and design review for the Verizon store and for the
2 ZSI Manufacturing on Crile Road.

3 And then, also, staff has been in conversations with
4 the, the group that's representing the McDonald's that's on
5 Auburn Road. They're getting ready to do a major site
6 improvement update to that facility, converting it to the
7 double drive-thru lane, doing a complete facade update, all
8 new landscaping, parking. So we've been spending a lot of
9 time helping them go through our code making sure, when they
10 submit an application to this Board, that they hopefully can
11 get a full approval.

12 We've also been in conversations with another hotel
13 at the end of Gold Court. So we've been focused a lot on
14 current development on Crile Road.

15 So I guess what I am kind of saying is we may --
16 Staff would probably recommend at this point not looking a
17 little bit -- not looking into the Town Hall Neighborhood and
18 Town Hall Commons Districts any further. I know it was
19 brought up by a resident at our last meeting that they would
20 like us to do a corridor study looking at both Town Hall
21 Neighborhood and Town Hall Commons and the BX in that area.
22 And, at this time, I think it would -- we would be better to
23 use our time and resources to hold off on that, focus on the
24 development that's happening currently.

25 And, also, there's some other reasons, too. I am
26 not sure. Some of you may or may not be aware but in 2017 the
27 township had a study done from the Ohio Fire Chiefs
28 Association where they completed a fire station feasibility
29 study and location analysis for Concord Township. The study
30 looked at our existing fire stations to make a determination

1 whether or not it was feasible to repair, reconstruct and/or
2 rebuild those facilities. The study ultimately concluded that
3 the stations would need to be rebuilt. This study can be
4 found on the township website if you want further information
5 on that.

6 But as a result of the study, the township
7 advertised and received several RFQs from different
8 architectural firms. And, at this point, the Trustees are
9 evaluating those RFQs and trying to make a decision soon as to
10 what firm they might be working with. Once a firm has been
11 selected, the first phase of the project will deal with
12 programming, planning and site location for these fire
13 stations. The 2017 study showed that the location for the
14 Fire Station Number 1 that's located right here at the Town
15 Hall Commons should remain here at the Town Hall Campus, which
16 is kind of how we all refer to this area. Exactly where in
17 the campus, that site has not been determined yet.

18 So I think it may be beneficial to hold off on
19 looking at what we do around the Town Hall Campus until we
20 have a better understanding of where the fire station will be
21 sited because we also know the Comprehensive Plan has also
22 identified this commons area as a recreational asset for the
23 township as well. So the way things kind of seem like it
24 would make sense is for the -- to determine where the fire
25 station will go and then to plan where -- if we need to
26 relocate some of the recreation facilities that are currently
27 here or if there is expansion of any, and then that gives us a
28 little time to see how this will lay out.

29 And then, additionally, we have just a little bit
30 further down State Route 608 the elementary school that's

1 going to be opening next fall. What kind of impacts will that
2 have to this, to this area? Will there be increased traffic
3 or other things that will happen? It might behoove us to wait
4 and see, too, once that is open and have a better picture of
5 this area and what happens with the school, and then maybe at
6 that point if we want to reevaluate again the Town Hall
7 Neighborhood District. I think we're okay with the Commons
8 District as far as what the uses are and what the purpose of
9 that is and the long-term vision. But I think if we wait
10 until some of these other things fall in place, it might be
11 beneficial.

12 MR. SCHINDLER: Are they feeling they need an
13 upgrade because they're outdated or we're going to be bringing
14 in more equipment for the fire departments?

15 MS. FREEMAN: Well, the stations that we have were
16 built in the 1960s.

17 MR. SCHINDLER: Right.

18 MS. FREEMAN: So based on their thorough analysis,
19 you know, it was determined that it wouldn't be feasible to
20 try to repair or reconstruct them for several reasons that I
21 don't have all those reasons for you tonight. But I know that
22 the fire chief is more than happy to discuss that with you
23 further or you can find the study online. But, basically, it
24 wouldn't be beneficial to try to repair the existing
25 facilities.

26 They do have, I know that they do have equipment
27 that they currently have that cannot be housed properly. They
28 have an ambulance that is currently stored at the Service
29 Department. And if they ever need to use that, it really
30 delays their response time because they have to get the key

1 for the, for the ambulance, drive over to the Service
2 Department, unlock the gate, get into the building, unlock the
3 building, undo the alarm, get into the vehicle, pull it out,
4 reset the alarm, lock the building, back up, come out, lock
5 the gate. So it's just they don't have the right storage
6 currently for the equipment that they already have.

7 MR. SCHINDLER: Oh, man.

8 MS. FREEMAN: They use the red barn across the
9 street here over by the soccer field for storage of additional
10 hoses and equipment like that, which is -- things aren't being
11 properly stored. So I know that the facilities that they
12 currently have aren't meeting the needs that they have.

13 MR. SCHINDLER: Just not adequate to hold
14 everything.

15 MS. FREEMAN: Uh-huh.

16 MR. SCHINDLER: Thank you.

17 MR. LINGENFELTER: Heather, when we talked the last
18 time when we were going over this Town Hall Neighborhood, Town
19 Hall Commons District, you and I had had a conversation
20 regarding doing some -- doing a little bit more research into
21 the vaunted residential versus commercial tax revenue, you
22 know, to either prove or disprove that constant mantra from
23 certain ends of the nondevelopment spectrum that, you know,
24 residential doesn't pay for itself and commercial is so
25 precious and it generates so much more tax revenue.

26 Do we have any, have we gotten any -- Have we made
27 any headway on that? Have we been able to get any
28 information?

29 MS. FREEMAN: Since then, I looked into a little bit
30 of how the auditor classifies land, the different land uses

1 and how they assess them. It's based on a state standard.
2 They look at the property and determine what the majority of
3 the use of the property is and tax it accordingly based on the
4 state standard. So it's not a -- If it's zoned residential
5 doesn't mean they're taxing it residential per se. For
6 example, if there is one parcel that has four dwelling units
7 on it, it's going to be taxed commercial.

8 I did a -- I pulled a shade file from the county and
9 did a quick and dirty map based on their land use
10 classification code to kind of see, okay, well, how much land
11 currently is being taxed residential versus commercial?
12 Because I know, I think, in our 2004 Comprehensive Plan there
13 was some statistics being thrown out about this 92/8 split,
14 that 92 percent of the township was being taxed residential
15 and 8 percent was commercial, and I have heard it over and
16 over again and we need to main that split. And in the
17 Comprehensive Plan, it wasn't clear to me on how they actually
18 came up with that split, whether it was based on a zoning
19 designation or the auditor's land use classification.

20 But I ran the statistics on how the properties in
21 Concord are currently being taxed and, when you combine the
22 commercial and industrial taxes, I believe it was about 10
23 percent of the land area in the community was currently being
24 taxed as commercial and, and industrial and about 56 percent
25 was residential. Then there was agricultural and then some
26 other categories that were really small.

27 But looking at the tax rates, the tax rate for
28 commercial is a little bit higher in Concord. There is
29 actually three different, like, taxing districts. So there is
30 the Mentor side of Concord, the Painesville, and then the

1 small portion of Chardon, which we don't even have, I don't
2 believe, in the Chardon tax district. But in the majority of
3 Concord, the rate between commercial and residential was like
4 a 3 mill difference, so it wasn't a huge discrepancy in the,
5 in the different rates. And I think it's because of the -- a
6 lot of that is because of the school districts, too.

7 So I think it's kind of outside of what this Board
8 really looks at. We're not charged with looking at the taxes
9 and whether or not we can make the economics work. I think
10 that's more of the policy of the Trustees to try to balance,
11 you know, the taxes and know that. But I know that, you know,
12 rezoning land could have implications on that but I think
13 we've maintained that split. If not, we've seen the
14 commercial percentage increase. We've had a lot more
15 commercial growth since 2004. So based on the statistics that
16 I ran, we're at like 10 percent being taxed for commercial
17 versus where we were.

18 Plus, we have additional revenue streams through the
19 JEDD. So we can get additional taxes through the income taxes
20 of the folks that work in those businesses that are currently
21 in the JEDD.

22 MR. LINGENFELTER: Right.

23 MS. FREEMAN: So there is more potential now than we
24 had in 2004 when we originally did the Comp Plan.

25 MR. LINGENFELTER: Yeah, I think it's important
26 to -- In the, in the long game as far as us and taxation,
27 you're right, that's not something we should look at and
28 that's not something we should really concern ourselves with.
29 However, it is an argument that's constantly brought against
30 this Board whenever we consider any rezoning.

1 MS. FREEMAN: Yeah.

2 MR. LINGENFELTER: That residential does not -- or,
3 you know, that residential doesn't pay for itself and that we
4 can't afford to rezone any commercial property to become
5 residential because it would be a financial detriment to do
6 that. And I would like to just, you know, I would like to
7 either prove that statement and say, yeah, that's a correct,
8 that's a correct way to look at this, or disprove it, one or
9 the other.

10 You know, it would be nice to know, you know,
11 because that's a, that's a, kind of, a known fact that gets
12 thrown around pretty often when it comes time for public
13 hearings and talking about rezoning issues and things like
14 that. You know, it's just a -- it's fact that, you know,
15 residential doesn't pay for itself. And I just, I don't know
16 that that's true and I don't know that that's false. I just
17 -- It would be nice to know so that we can, at least, you
18 know, when we, when we do consider these issues, that we're
19 not putting anything in peril from a financial standpoint to
20 the township, you know. So it's just nice -- It's good to
21 know.

22 So that 92/8 percent, that 92 and 8 percent, 92
23 percent, 8, that's not accurate either then?

24 MS. FREEMAN: I would say anymore we're not that
25 split.

26 MR. LINGENFELTER: Right.

27 MS. FREEMAN: Without being a hundred percent clear
28 on how they came up with that calculation.

29 MR. LINGENFELTER: Right.

30 MS. FREEMAN: I don't have all the details but I

1 would say we've maintained that. If not, we've made it
2 better.

3 MR. LINGENFELTER: Right.

4 MS. FREEMAN: More land being taxed as commercial
5 and industrial than we had in 2004.

6 MR. LINGENFELTER: Right.

7 MS. FREEMAN: I don't know that we could ever
8 answer, you know, whether or not -- I think it depends on the
9 type of commercial or the type of residential, whether or
10 not -- the cost of community services.

11 MR. SCHINDLER: There is too many variables,
12 unfortunately, it sounds like. But if you just take the
13 percentages of residential versus commercial, it is just the
14 percentage should say you'd be making more input from
15 residential than you would from commercial, just common sense,
16 I would think.

17 MS. FREEMAN: Uh-huh.

18 MR. SCHINDLER: Yes? No? I deal with numbers.

19 MS. FREEMAN: I can, I can send you guys that
20 information if you would like to see it. I don't have it with
21 me this evening but --

22 MR. LINGENFELTER: It's good to know.

23 CHAIRMAN McINTOSH: Any -- So just kind of pulling
24 it back to the work session, I know Heather also sent us a
25 memorandum last night regarding potential zoning amendments.
26 But kind of getting back to the Town Hall thing, does anybody
27 have comments or input or thought about leaving it on the
28 agenda or moving it along, considering Heather's input and
29 some of the other stuff she brought to us?

30 MR. LINGENFELTER: Well, I think if you're going,

1 you know, if there is a bunch of consideration right now with
2 regards to the Fire Department, you know, with that and
3 everything else, that we probably ought to just drop it. We
4 ought to just permanently table it for now. We can always
5 bring it back at another time. Remove it from the agenda. I
6 don't see any reason to keep it at this point.

7 MR. PETERSON: I would agree with Andy.

8 MR. SCHINDLER: I agree.

9 MR. LINGENFELTER: Until we have more, you know,
10 until we get the more formal feedback on the, on the location
11 or potential location of the fire department, you know, the
12 new fire departments or whatever.

13 CHAIRMAN McINTOSH: Well, actually, Heather
14 mentioned just tonight, I think, the school, too, traffic and
15 a lot of those other things. There is a lot of moving parts.
16 And we were definitely at a -- I don't want to say indecisive
17 but definitely had a lot of questions about what to do and I
18 think there was a lot of good dialogue, but I think we were
19 struggling for a conclusion. And it is not going to get
20 clearer, it's only going to have more data thrown at it. So I
21 agree. It think it makes sense to set it aside and bring it
22 back at a time that's a little more appropriate.

23 MR. LINGENFELTER: But, I think, I think once, once
24 we get, once we get the fire facility issue resolved and once
25 the school is built, I am telling you right now it is going to
26 come back. It's going to continue coming back whether you
27 want it or not. You know, it's the issue of developing that
28 property over there in a residential format versus a
29 commercial format is going to continue to come back to this
30 Board. And at some point in time, we have to make a decision

1 how we want to approach that area, you know.

2 So I think that, you know, we're just kicking the
3 can down the road because I am sure that in the next six
4 months or, you know, just if history proves accurate, you
5 know, I am sure there is going to be another proposal that is
6 going to come our way of somebody proposing either the north
7 side or the south side of Concord-Hambden Road over there with
8 residential development.

9 CHAIRMAN McINTOSH: I guess that's the question I'm
10 asking. Do we leave it on the agenda for the next six to nine
11 months or pull it off and resurface it when it's relevant?

12 MR. PETERSON: I think if you pull it off and just
13 address it when that next issues comes up.

14 MR. LINGENFELTER: Right.

15 MR. PETERSON: It might be six months. It could be
16 two years. But whenever it comes up, we could address it at
17 that time.

18 MR. LINGENFELTER: Right.

19 MS. FREEMAN: There is still the likelihood that
20 someone could come in and want to develop it under its current
21 zoning.

22 MR. LINGENFELTER: That could happen, too. It is
23 not completely out of the question.

24 CHAIRMAN McINTOSH: Do we need to vote on that or
25 table -- on pulling it?

26 MS. FREEMAN: Sure.

27 CHAIRMAN McINTOSH: All right. So I will entertain
28 a motion to remove the work session from our agenda
29 permanently or, at least, for the time being.

30 MR. SCHINDLER: I second.

1 MR. LINGENFELTER: We've got a motion, first.

2 CHAIRMAN McINTOSH: I need a -- We need a motion
3 first.

4 MR. SCHINDLER: Oh, you need a motion. I thought
5 you were giving one.

6 CHAIRMAN McINTOSH: I am asking for a motion. I
7 can't give one.

8 MR. SCHINDLER: Mr. Chairman, I so move that we move
9 the Township Neighborhood and Township Hall Commons District
10 off our agenda until further notice.

11 CHAIRMAN McINTOSH: Second?

12 MR. PETERSON: I'll second that.

13 CHAIRMAN McINTOSH: All in favor? Opposed?

14 (Five aye votes, no nay votes.)

15 CHAIRMAN McINTOSH: All in favor, none opposed. So
16 the work session will be removed from the agenda for now.

17 Heather, is there anything you -- did you want to
18 discuss at all some of the stuff that you gave us as far as
19 proposed amendments before we --

20 MS. FREEMAN: Yeah, maybe just real brief. Maybe we
21 can talk about this in more detail later on. But I know that
22 I sent this memo to you last minute. It's kind of a
23 lengthy list of some potential future text amendments that we
24 should maybe consider addressing over the next several months
25 to a year. Most of these, most of these would be beneficial
26 to the township as a whole in general, while some of them are
27 a little bit more focused on helping support that
28 implementation of the Town Center Master Plan.

29 I will just kind of briefly go through it. So take
30 the first item in the memo was, consider reviewing some of the

1 existing definitions and determine if there is any necessary
2 revisions. For example, we have a lot of different "dwelling"
3 definitions that are scattered throughout the Zoning
4 Resolution. Some of them, some of them are related to
5 dwellings that we do not even allow within the township. So I
6 think it would be beneficial to review those definitions, try
7 to regroup them, maybe eliminate some of the uses we do not
8 allow within the, within the community.

9 I know last year we were talking about eliminating
10 live/work units from, from the ISPD, the Innovative Site Plan
11 Development, due to the fact that the uncertainty if the
12 business failed that you would not be able to live -- or,
13 no -- if the business failed, you could not rent out the
14 business and you'd have empty storefronts on the first floor.
15 So we were hoping to get rid of that. Those were some of the
16 things that got pushed aside last year, but we could possibly
17 take a look at some of that while just reviewing the
18 definitions.

19 While doing that, too, we should consider removing
20 the square footage sizes and density from those definitions.
21 Instead they should be included within the district
22 regulations and not in the definition itself.

23 And the other issue is -- this is has come up a
24 little bit -- is whether or not we should allow fee simple
25 lots on private streets. I know a couple developers have
26 asked to do this and it's something that maybe we should
27 consider in planned unit developments where a developer could
28 do a private street and do a fee simple lot, which is a lot
29 where you would own your lot, like you own, all of you, yeah,
30 all of you own your lots where you live. There are some

1 developments, like Gabriel's Edge or Aria's Way, where you
2 don't actually own the land around your property. You're on a
3 private street and you just have exclusive use to that.

4 We have been -- The idea has been kicked around by
5 some people that they wanted to do private streets but they
6 want to own the land. So our definition of "lot" wouldn't
7 include that because it says it has to front on a publicly
8 dedicated street. So that might be something that we want to
9 take a look at and determine if that would be an appropriate
10 use within, possibly, a planned development area.

11 Some other considerations, updating some of the
12 other definitions, separating "use" and "building" from
13 "principal" and "accessory" uses. It would permit a clean
14 definition or inference that permits more than one principal
15 building per lot but maybe only one or more principal use per
16 lot.

17 I know when I first started reading our Zoning
18 Resolution, it wasn't clear to me whether or not you could
19 have multiple buildings on lots because it didn't really
20 specify that. Some of these housekeeping things could make it
21 a little bit more clear whether or not we want to allow more
22 than one building on a lot or -- as long as there was just one
23 use on the lot. For example, like the Crile Crossing retail
24 center, there is one primary use, and that's commercial retail
25 center, but there are several buildings on that, several
26 primary buildings on that parcel. So I think we could clean
27 up the text by making it clear that is permitted.

28 MR. SCHINDLER: Have you found anything in
29 particular on this list that you gave us that's really
30 becoming a pain that you think we should address right away,

1 possibly?

2 MS. FREEMAN: Well, I think that possibly taking a
3 look at the definitions because definitions really are very --
4 are key when enforcing the zoning.

5 MR. SCHINDLER: Right.

6 MS. FREEMAN: So if we could take a good, detailed
7 look at the existing definitions that we have and also
8 defining a few other terms that we don't have defined in
9 there. I know, like, we don't have a definition for "porch"
10 but we, but we somewhat regulate them, so I think we need to
11 define that in the Zoning Resolution. Now we have a couple
12 standards on sidewalks that could be permitted -- or required
13 in the Capital District but we don't define what that sidewalk
14 is. So I think in order to be up front, in front of potential
15 development over further development in the corridor, helping
16 define some of those things, such as sidewalks, streetscape,
17 patio, porch.

18 We also have a lot of uses that are permitted in the
19 residential districts that we don't define that right now is
20 not an issue but could be in the future, big things, like we
21 permit arboretums and community parks and golf courses but we
22 don't even define what these are. So I think that we should,
23 in my opinion, focusing on the definitions would probably be a
24 good start.

25 And also taking a look at the Table of Uses in all
26 of our, in all of our districts, specifically the commercial
27 districts. I believe I brought this up a few -- maybe last
28 year. In the R-2 PUD, there is -- you're allowed to do a
29 small commercial center and they have a long list of uses that
30 are allowed but we don't define any of those uses. I think

1 the list of uses was generated like in 1986 when the district
2 was adopted. We talk -- We don't define what the uses are and
3 also prohibit some of the uses that may be needed in that
4 area.

5 And currently, right now, the developer of some land
6 that's going to be used for that district is getting ready to
7 create parcels, and I know he has plans to do some things
8 there. So I think we should take a look at those uses, and
9 not only that R-2 PUD District but maybe, while we're doing
10 it, take a look at all of the districts and see whether or not
11 we need to make any changes.

12 MR. SCHINDLER: Based on, you know, what you have
13 found, does the state have regulations that maybe are uniform
14 throughout the state that we could plug in those things to
15 save time, possibly, that would address issues like this
16 quickly rather than us going through each one, you know?

17 MS. FREEMAN: For uses or --

18 MR. SCHINDLER: Yeah.

19 MS. FREEMAN: For permitted?

20 MR. SCHINDLER: In general, I mean, the items that
21 you brought up in general.

22 MS. FREEMAN: Oh, no.

23 MR. SCHINDLER: No?

24 MS. FREEMAN: There is no state standard. There is
25 no --

26 MR. SCHINDLER: Nothing that could help not recreate
27 the wheel, if you know what I mean?

28 MS. FREEMAN: No, I don't think we need to recreate
29 the wheel per se. We have a good base. It's just reviewing
30 them and making sure that it still aligns with how we want the

1 corridor to build out. I think there are some uses that are
2 currently listed in the Capital District that we might not
3 want to see actually developed over there. I know like if --
4 So the land that's currently zoned Capital, gas stations are a
5 conditionally permitted use in there. I don't know that if,
6 you know, that actually gets developed under Capital that
7 having a gas station at the entryway to what could be the Town
8 Center over in that area would be an ideal gateway. So --

9 MR. SCHINDLER: It would be some conflict that could
10 start developing because of the development that's going on
11 already.

12 MS. FREEMAN: Right.

13 MR. SCHINDLER: That's a good point. A gas station
14 being right there going -- I've been in communities where they
15 have like that going into subdivisions, for example, and it's
16 all tied up with, like you say, a gas station, cars all going
17 in and out before you even get into the subdivision. It's
18 just a mass of traffic all the time because the residents that
19 are trying to come in and out, along with people that are
20 driving through the community and need gas, they stop there
21 and it gets, especially during the working day, quite
22 cumbersome traffic wise.

23 So I understand where you are coming from. That
24 sounds like something that should be addressed, you're right,
25 right away because of how quickly it is developing out there.

26 MS. FREEMAN: Right. I think gas stations do like
27 to site on corners there.

28 MR. SCHINDLER: Always, yes, yeah. Right off of
29 freeways, right off of big commercial areas, they like to pop
30 in a big gas station. And, right now, all of them have food

1 and everything. People buy alcohol. You can do all of that.
2 I have seen big trucks coming in there sometimes trying to
3 support them, traffic jams. I drive around a lot because of
4 what I do and I see how this could become a very cumbersome
5 situation. That would be something I would want to tackle
6 real quickly, to be honest with you. Sorry. I didn't mean to
7 cut you off.

8 MS. FREEMAN: No, you're okay.

9 CHAIRMAN McINTOSH: So definitions and Table of Uses
10 are your top priorities there. Anything else?

11 MS. FREEMAN: Yeah. If we were going to pick an
12 order, maybe I'd probably start with definitions because I
13 know definitions will trickle into other sections of the
14 zoning code. It's never just contained right to definitions.
15 If you tweak the definition, you need make sure you're doing
16 your due diligence and looking at, okay, how does it affect
17 the actual district where that use might be permitted?

18 And if we do try to eliminate the density
19 requirements within the district, we need to make sure we're
20 clear within that district that we're keeping the same
21 density. We're not changing anything. Because we're not -- I
22 don't think we're looking at changing densities or anything
23 like that. We are not trying to make big, different land use
24 decisions, just streamline the code and not -- well, and make
25 it a little bit more user-friendly and put the, put the
26 regulations within the district, not in the definitions.

27 But, yeah, I would say definitions and then Table of
28 Uses would probably be where I'd lik to potentially start if
29 this Board would want staff to start looking at some of these
30 things. I know you probably didn't get a lot of time to read

1 through this. And maybe rather than going through all of
2 this, we can hang onto this memo and we can kind of --

3 CHAIRMAN McINTOSH: Yeah. I think, to Frank's point
4 about what's most important, because it's a long list, it
5 could take us quite a bit of time to do this. So --

6 MS. FREEMAN: Yeah, oh, yeah. This is nothing that
7 I would imagine we would do in any short amount of time. We
8 can definitely break this up over a normal course of doing
9 housekeeping amendment type items to the Zoning Resolution. I
10 know a few years ago when I first started, I think Bruce and I
11 put together a pretty lengthy list of, hey, these are some
12 things we need to tackle over time.

13 CHAIRMAN McINTOSH: Right.

14 MS. FREEMAN: And some of those are still on this
15 list.

16 CHAIRMAN McINTOSH: Okay.

17 MS. FREEMAN: But they're not necessarily
18 priorities.

19 CHAIRMAN McINTOSH: Right.

20 MS. FREEMAN: They're kind of at the bottom. So --

21 CHAIRMAN McINTOSH: Okay. So if we want to go
22 ahead, is there anything else needed as far as that
23 information or we'll just kind of focus on those first two
24 items and that will be what we'll see from you coming up?

25 MS. FREEMAN: Yeah. I think, you know, I'm
26 definitely going to want to meet with legal --

27 CHAIRMAN McINTOSH: Right.

28 MS. FREEMAN: -- prior to giving you anything too
29 much. But I'd like to start taking a look at what definitions
30 are in there and get a preliminary stab at doing them.

1 MR. SCHINDLER: Especially if it's making it
2 difficult for you, when these things come up, to deal with the
3 developers and, you know, designers and all that kind of
4 stuff. It makes your job harder.

5 MS. FREEMAN: Right.

6 MR. SCHINDLER: If it's not clarified.

7 MS. FREEMAN: Yeah.

8 MR. SCHINDLER: So I totally understand.

9 CHAIRMAN McINTOSH: Did you have anything else for
10 us or --

11 MS. FREEMAN: Other than that, there was something
12 else I just wanted to mention because I know it's a section of
13 the current Zoning Resolution that we've never actually
14 implemented. As you know, in 2014, the township adopted a
15 pretty -- a whole new sign resolution. And in part of that
16 sign code, there is a "large campus" designation. So I did
17 provide you a copy of that section of the Zoning Resolution in
18 front of you this evening.

19 But, basically, the Zoning Inspector has the
20 discretion, if they receive a sign permit application, they
21 either have -- we either, as the Zoning Inspector, we either
22 approve the zoning permit application, we deny it because it
23 doesn't meet some standards, or if it meets certain criteria
24 we can determine that it's a large campus designation.

25 Basically, in order to be considered -- classified a
26 large campus, it has to encompass more than 10 acres of land
27 and it has to have multiple buildings on it where portions of
28 the buildings might not have visibility from main streets and
29 where, due to the project size or arrangement of buildings,
30 site circulation, that the number of permitted signs, size and

1 location might not be adequate in the Zoning Resolution.

2 So I've been in conversations with the sign company
3 that was hired by the Auburn Career Center. They have
4 undergone a pretty substantial rebranding exercise where
5 they're going to be over time trying to redo all their signage
6 on their campus. So I know you are somewhat familiar with
7 Auburn Career Center. They're actually spread out over three
8 different parcels. They front on both the west and the east
9 sides of Auburn Road and on Girdled Road.

10 A preliminary look at what they are looking to do,
11 there was no way that I was going to be able to approve their
12 signs, number of signs that they want in our current code. It
13 is actually zoned R-1, which is a little bit more restrictive
14 when it comes to institutional uses versus if they were
15 actually in a commercial district. I feel like that area
16 feels commercial. It doesn't even feel residential, you know.

17 And I am pretty sure that, when they actually submit
18 to me, that I'm probably going to recommend that they come in
19 front of this Board for your consideration. So I just wanted
20 to bring that up to you as a heads up because I know it's
21 something we've never done. I would probably put together a
22 staff report for you guys similar to what we do for site plan
23 review and give a recommendation, and if it was to approve,
24 deny, or recommend approval with some, you know, with some
25 modifications.

26 But it really is on the applicant to prove to this
27 Board -- Well, under 36 -- 30.06(A), these are some of the
28 criteria that you should consider, but it is up to them to
29 prove to you for each sign why they need that sign and why
30 it's proposed. They would have to provide, you know, a

1 detailed site plan in advance showing the location of all the
2 signs, elevations of all the buildings and how the signs would
3 be perceived by the public so you could actually get a good
4 idea of what it would look like if you were driving by, a
5 description of the proposed sign, whether or not they were
6 going to be illuminated, illuminated signs, electronic message
7 centers, any kind of things like that.

8 But it's more than likely that this application will
9 come in front of the Board. I just didn't want to blindside
10 you if that were to happen sometime over the next -- probably
11 before the end of the year.

12 MS. GERMOVSEK: I was reading Number 4 where it
13 says, upon the disapproval, that the Zoning Commission would
14 respond within, in writing, within five days. Would that be
15 one of us?

16 MS. FREEMAN: Well, at the meeting, if you guys
17 disapproved it, you'd probably state the reasons as to why.

18 MS. GERMOVSEK: Oh, okay.

19 MS. FREEMAN: And I would write that letter as your
20 secretary.

21 MS. GERMOVSEK: Oh, I'm like, okay.

22 MS. FREEMAN: So, yeah, within five days I would, I
23 would write that letter on behalf of this Board, yeah.

24 CHAIRMAN McINTOSH: Okay.

25 MS. FREEMAN: I don't know if there is any question
26 on that, if you have any questions --

27 MR. SCHINDLER: Not really. I know St. Gabe's has,
28 you know, it's electronic sign that goes around and gives all
29 kinds of data as you're driving by. Something like that, I
30 don't want to say it bothers me, but if you concentrate on the

1 sign, what it's saying, you could lose track of where you're
2 driving.

3 MS. FREEMAN: I know that sign was put in before we
4 had the sign, the current sign code we have.

5 MR. SCHINDLER: Yeah.

6 MS. FREEMAN: I think they got a variance to do
7 that. But we do allow the electronic message centers like
8 that now but it does have some standards on how, how quickly
9 the message can change.

10 MS. GERMOVSEK: Eight seconds.

11 MS. FREEMAN: So under the current code, yeah, it's
12 no more than eight seconds. It can't be scrolling or
13 flashing. So I don't know what St. Gabe's does but it might
14 be nonconforming. So I don't know if it does any of that.

15 MR. SCHINDLER: Well, they list the masses, which is
16 understandable.

17 MS. FREEMAN: Yeah.

18 MR. SCHINDLER: And then any special events that
19 they have, of course, is on there, too.

20 MS. FREEMAN: Yeah.

21 MR. SCHINDLER: And it scrolls and then, of course,
22 they have a little message sometimes wishing you be safe, if
23 there is an upcoming religious holiday, masses will be like
24 this.

25 MS. FREEMAN: Yeah.

26 MR. SCHINDLER: So things of that nature.

27 MS. GERMOVSEK: Doesn't Drug Mart have the
28 electronic sign?

29 MS. FREEMAN: Yeah, Drug Mart does, too.

30 MS. GERMOVSEK: I was going to count when I drove

1 by.

2 MS. FREEMAN: I will send Jared over there to count
3 in between seconds.

4 MS. GERMOVSEK: That would be distracting but you do
5 read them when you're driving.

6 MR. SCHINDLER: You do, you know, the eyes go over
7 to them. Just because of the nature, they draw your
8 attention. I mean, you go down 271, for example, on the south
9 they have these massive, large signs that are showing
10 dealership information, I mean, all kinds of stuff that, if
11 you're sitting there just glancing up at it for a brief second
12 going at, supposedly, 60 miles an hour, you've traveled a
13 distance of almost two football fields just in that short
14 length of time where you could run into somebody. So that
15 could be disturbing. Of course, I should call. The state has
16 them on there, too, with their Amber alerts and everything
17 else, too. So where do you draw the line?

18 MS. FREEMAN: Well, maybe that's -- Maybe that's
19 something else. I don't -- I know we just adopted that sign
20 code in '14. But do we really want electronic message centers
21 all down Crile Road and down Auburn Road?

22 MR. SCHINDLER: Right.

23 MS. FREEMAN: Is that the look we want? I mean,
24 does that fit in with the corridor, the vision?

25 MR. SCHINDLER: You're right.

26 MS. FREEMAN: I don't know. You can see Drug
27 Mart's.

28 MR. SCHINDLER: Yeah.

29 CHAIRMAN McINTOSH: Yeah.

30 MS. FREEMAN: There is one at the Vista Springs on

1 Auburn Road.

2 MR. PETERSON: Yeah, that's right.

3 MS. FREEMAN: Personally, I am not really a fan of
4 them. I'd rather not have them. But I know that decision --

5 MR. SCHINDLER: Well --

6 MS. FREEMAN: And I wasn't here for all that when
7 you guys had those discussions, but something to --

8 MR. SCHINDLER: They can be very distracting.
9 That's my concern.

10 MS. FREEMAN: But it's not even just from a
11 distraction standpoint. The aesthetics and how you want the
12 corridor to build out and look, you know.

13 MR. SCHINDLER: That too.

14 MS. FREEMAN: But at some point, too, I think on
15 this list further down was signs. And I know I brought it up
16 a couple other times but we still have some issues with
17 content neutrality.

18 CHAIRMAN McINTOSH: Right.

19 MS. FREEMAN: We regulate some of the signs based on
20 what the message is.

21 CHAIRMAN McINTOSH: Right.

22 MS. FREEMAN: So that would probably be another
23 priority of mine that I'd probably bump up on the list, too.

24 MR. SCHINDLER: Yeah.

25 MS. FREEMAN: Can't do it all at once. We've got to
26 do a little bit as we can. I am not asking to do all these
27 things at once.

28 MR. SCHINDLER: The way the township is developing,
29 which is really starting to go great guns, things like this
30 really should be addressed as quick as you possibly can before

1 it gets away from you.

2 MS. FREEMAN: Yeah.

3 MR. SCHINDLER: I mean, you don't want to be like a
4 Las Vegas, gees, oh, man. Have you ever been to Las Vegas?

5 MS. FREEMAN: Yeah. And there is other things that
6 I kind of question in the sign code. We allow pole signs up
7 to 20 feet in height on Crile Road, and it's likely that we're
8 going to have somebody submit an application like that and
9 it's permitted.

10 MR. SCHINDLER: Yeah.

11 MS. FREEMAN: So --

12 MR. SCHINDLER: Good point.

13 CHAIRMAN McINTOSH: So add signs to the list?

14 MS. FREEMAN: What's that?

15 CHAIRMAN McINTOSH: Add signs to the list?

16 MS. FREEMAN: It's on there, yeah. There's a few
17 things in there maybe we need to rethink.

18 CHAIRMAN McINTOSH: Okay. Any other comments or
19 questions for Heather before we move along?

20 Okay. Moving on to the second item, approval of the
21 minutes from the July 10th meeting. I will take a motion to
22 approve them.

23 MR. PETERSON: Mr. Chairman, I make a motion we
24 approve the July 10, 2018, minutes of our meeting as written.

25 CHAIRMAN McINTOSH: Second?

26 MR. SCHINDLER: I second.

27 CHAIRMAN McINTOSH: All in favor? Any opposed?

28 (Five aye votes, no nay votes.)

29 CHAIRMAN McINTOSH: Motion carries. The minutes are
30 passed.

1 Correspondence from the Zoning Commission members,
2 Frank?

3 MR. SCHINDLER: Correspondence, I've had phone calls
4 over the weeks from my neighborhood, people concerned about
5 what's the regulations of open burning and recreational fires
6 and stuff like that. So I took it upon myself to go over to
7 the Fire Station 1 a couple weeks ago and they gave me two
8 documents. One, of course, is from the Concord Fire
9 Department -- Bless you.

10 MR. LINGENFELTER: Excuse me. Thank you.

11 MR. SCHINDLER -- on recreational fire, the
12 regulations from the state, and also what was put into the
13 Grapevine that we did this year. And I made copies of that
14 and circulated through my development so I can answer people's
15 questions because we've had some residents starting to burn
16 open trees and stuff in their back yards, which of course is
17 not really allowed, to a degree. So that was my
18 correspondence part, taking care of this particular situation
19 in my development.

20 So I have a word of -- I know, where I live, my home
21 is somewhat in a little bit of a valley. If everybody is
22 burning stuff and you try to open up your windows, it's
23 choking. We can't do that in the evening. And somehow it's
24 getting out of hand. So that's why they asked me and that's
25 why I took it upon myself to do this in my neighborhood. So I
26 just wanted to bring it to your attention.

27 CHAIRMAN McINTOSH: Andrew?

28 MR. LINGENFELTER: Nothing from me.

29 CHAIRMAN McINTOSH: Sue?

30 MS. GERMOVSEK: Nothing.

1 CHAIRMAN McINTOSH: Rich?

2 MR. PETERSON: Just casual inquiries as to what's
3 going on on Crile Road, that's it.

4 CHAIRMAN McINTOSH: Okay. I didn't have any
5 correspondence to report.

6 Any audience participation this evening? We don't
7 have any audience here.

8 So the next meeting is scheduled for September 4,
9 2018. And with that, we will adjourn the meeting.

10 (Whereupon, the meeting was adjourned at 7:45 p.m.)

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STATE OF OHIO)
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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 16th day of August 2018.

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023