

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

September 4, 2018
7:00 P.M.

TRANSCRIPT OF PROCEEDINGS

ZONING COMMISSION MEMBERS PRESENT:

MORGAN MCINTOSH, Chairman
FRANK SCHINDLER, Commission Member;
ANDREW LINGENFELTER, Commission Member;
SUSAN GERMOVSEK, Commission Member;
HIRAM REPPERT, Alternate Commission Member.

ALSO PRESENT:

HEATHER FREEMAN, Planning & Zoning
Director/Zoning Inspector;
JARED WINER, Planner/Assistant Zoning
Inspector.

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MELTON REPORTING
11668 Girdled Road
Concord Ohio 44077

1 CHAIRMAN MCINTOSH: Good evening. I would like to
2 call to order the Concord Township Zoning Commission
3 meeting for Tuesday, September 4, 2018. We have a
4 relatively short agenda or a few items on the agenda
5 this evening. We have a site plan review and a design
6 review for the same project, so we'll -- the first item
7 is the site plan review for Application #036 for
8 Mr. Richard W. Benton of Arkinetics is requesting a
9 site plan approval for a hotel located at 11175 Gold
10 Court and being Permanent Parcel No.
11 08-A-020-B-00-003-0.

12 Do we have the applicant or a representative here
13 this evening? Would you please come forward? Give us
14 your name and address for the record, please.

15 MR. BENTON: Hi. Richard Benton from
16 Arkinetics, 3723 Pearl Road, Cleveland, Ohio 44109.

17 CHAIRMAN MCINTOSH: Okay.

18 MR. BENTON: So we have brought you our site
19 plan for the Home2 Suites that is proposed be
20 constructed on Gold Court. This is on the northeast
21 side, down at the top of the cul-de-sac, the northern
22 side of the cul-de-sac. It is an 80-room four-story
23 hotel approximately 50 feet tall. Significant -- we
24 have significant landscaping out in front, parking lots
25 that ring completely around the building, along with a
26 ring road for both access and for fire fighting. As I
27 had said, it's pretty straight forward. We're looking
28 at a two curb cuts. One is for traffic flow in both
29 directions, the other being an exit only. We don't
30 have cross traffic coming through there. Also we're

1 staying off the rear setback, trying to preserve that,
2 that tree line back there as well.

3 CHAIRMAN MCINTOSH: Did you -- have you had a chance
4 to receive and review the staff report?

5 MR. BENTON: Yes.

6 CHAIRMAN MCINTOSH: I was just wondering if you
7 could -- there's a fair bit of volume with this one --
8 if you could just maybe take us through it. I think
9 the board's going to be primarily concerned with the --
10 the conditions that, you know, the staff is looking for
11 as far as the meeting for us to give approval, but if
12 you could maybe take us through --

13 MR. BENTON: Sure.

14 CHAIRMAN MCINTOSH: -- a couple of the major parts
15 of the project, that would be great.

16 MR. BENTON: Sure. As pertaining to the --
17 what staff has requested?

18 CHAIRMAN MCINTOSH: Yes.

19 MS. FREEMAN: Do you want a copy?

20 MR. BENTON: Yes, please. Okay. The
21 designated tree save area, that's number one on the
22 staff recommendation. We -- as it appears, from what I
23 found, the civil plan and the landscape plan were at
24 odds with each other on that. I believe that's what
25 this comment is going back towards. The civil plans
26 are correct and we are staying out of that tree save
27 area and it's being labeled. There will be the
28 appropriate measures being taken to protect the trees
29 under canopy from roots being compacted as is in Item
30 -- I believe there's an additional item here to address

1 that as well. It is Item No. 2, so we will have the
2 construction snow fence put in the correct place so we
3 don't have any harm done to those areas. We'll also
4 fill out that tree area as is required by ordinance.
5 So that covers Items 1 and 2.

6 Revised landscape plan for provide adequate
7 screening for proposed electrical transformer near the
8 exit. That transformer is behind a mound as is, but we
9 can provide additional screening to help prevent that
10 from being seen. It is kind of in an odd area, but we
11 think that maybe some ornamental grass or something
12 that's tall. These transformer do come between three
13 and four foot tall. They are rather significant in
14 size. We still have to also keep in mind that the
15 utility companies do require at least a certain amount
16 of distance cleared around these transformers for
17 maintenance. So we will have to abide by their rules
18 as well.

19 When it comes to Item No. 4 --

20 MR. REPERT: If you could go back to No. 3.

21 MR. BENTON: Sure.

22 MR. REPERT: Where is the transformer? Near
23 the exit only drive?

24 MR. BENTON: South of the exit only.

25 MR. REPERT: South of the -- oh, okay, right
26 there. Okay. All right. Yeah, that should have at
27 least some fencing around it.

28 MR. BENTON: Yeah, we'll provide screening of
29 some kind for that.

30 Item No. 4, access to provide additional detail to

1 hide the mechanical units that are located next to the
2 building and to adjust our screening, our vegetative
3 screening accordingly. These units are gonna be about
4 40 inches tall or less, maybe a little bit less.
5 They're about five-ton units. Actually, two of them
6 are mini split system units and one is a pool
7 dehumidification unit. The pool dehumidification unit
8 looks more like a glorified box fan on some stilts, but
9 it will be about the same size as a five-ton unit, as I
10 said, about 40 inches in height.

11 That area is very significantly screened. We also
12 have several different mounds that are in front of that
13 as well. I guess we question whether you'll actually
14 see that on your drive in approach, but we can provide
15 screening to accommodate, you know, blocking the view
16 of those from oncoming traffic or pedestrian traffic in
17 that area. I think it's probably good to note as well
18 that the door that is located next to those three units
19 is not a common -- it's not a public door. That is a
20 door that is exit only for an electrical room. So per
21 NEC we do need to have two ways out of that room,
22 because we have enough voltage and amperage located
23 there so that's our second way out.

24 MR. REPERT: Now, that's right next to the
25 patio; right?

26 MR. BENTON: No. So the patio that I believe
27 you're referring to is in between the pool and the L of
28 the building, so look farther east. Yeah, your pen is
29 right on it.

30 MS. FREEMAN: Do you want to put that on?

1 MR. BENTON: Yeah, I'll put it on.

2 MR. REPERT: Yeah, we don't show the pool on
3 this plan at all. Sheet 4. That's where I have it.
4 Yeah, there.

5 MR. BENTON: Right here is the patio.

6 MR. REPERT: Yeah.

7 MR. BENTON: Okay. The pool -- so here's the
8 -- these are the three mechanical units that are on the
9 ground. There is a door right here and that door is
10 what is direct -- direct exit from the electrical room.

11 MS. FREEMAN: Do you mind pointing out where
12 the pool is for Mr. Reppert?

13 MR. BENTON: Here's the pool. The building
14 is a L like this --

15 MR. REPERT: Okay.

16 MR. BENTON: -- and this is the pool. It's a
17 one-story space.

18 MR. REPERT: And that's inside?

19 MR. BENTON: Indoor pool, yes.

20 Mr. REPERT: Indoor. Okay.

21 MR. SCHINDLER: I have a question.

22 MR. BENTON: Sure.

23 MR. SCHINDLER: The Lake County Engineers have
24 indicated a traffic impact study will be required. Has
25 that been done?

26 MR. BENTON: We are in the process of
27 contracting that work.

28 MR. SCHINDLER: Now, what does that have to do
29 with the access and exit of the -- like say the people
30 that are coming into the hotel and leaving or is it the

1 traffic pattern have to do with the -- the road coming
2 into the -- do you have any idea?

3 MR. BENTON: I would defer that to Heather
4 maybe. I really don't know.

5 MR. KEENEY: It's my -- sorry. Dustin Keeney
6 with Polaris Engineering and Surveying, 34600 Chardon
7 Road, Willoughby Hills 44094 and helped with the civil
8 engineering. It's our understanding from conversations
9 with George Hadden that that's to confirm -- that's
10 more for the traffic at the intersection of Gold Court
11 and Crile to make sure that with the increased traffic
12 that it doesn't warrant a signal or to determine if a
13 signal at that intersection will be warranted versus
14 just the stop sign that's currently there.

15 MR. SCHINDLER: Due to safety concerns, I would
16 assume.

17 MR. KEENEY: Right, right. So it doesn't
18 have anything to do with the onsite circulation
19 pattern. It's more for the traffic on -- on Gold
20 Court.

21 MR. SCHINDLER: At our last get-together there
22 was talk about how traffic would enter and exit and I
23 guess you are sharing adjacent entrances from other
24 properties around or the hotel would be?

25 Mr. KEENEY: No.

26 MR. REPERT: No, I don't think so.

27 MR. SCHINDLER: It's by itself?

28 MS. FREEMAN: Mr. Schindler, there was another
29 project on the other side of the cul-de-sac, it's
30 currently under construction where we had challenged

1 them to take a look at whether or not they could make a
2 connection with this potential project that's now in
3 front of us.

4 MR. SCHINDLER: Right.

5 MS. FREEMAN: As to which there were many
6 reasons why they felt they could not do that and this
7 board did not push that on their project. You remember
8 they indicated that they would either eliminate that
9 second entrance, if you weren't going to allow it, or
10 they -- or due to other reasons, liability, franchise
11 issues, they were not open to doing a shared driveway
12 with the adjacent property.

13 MR. SCHINDLER: So that's been addressed then?

14 MS. FREEMAN: Right. And we did not -- I was
15 not recommending that again for this project due to the
16 results that we had from the last time. It was my
17 understanding that due to the Gold Court being on such
18 a short road, the amount of traffic that would be on
19 there, it was my impression that this wasn't really a
20 concern in this area.

21 MR. SCHINDLER: Okay. I was just wondering how
22 that would affect this study they were talking about
23 has to be done, the traffic impact study.

24 MS. FREEMAN: Each individual project as they
25 come in, the Lake County Engineer is requiring them to
26 do a traffic impact study, because they want to know
27 whether or not, as Mr. -- as Dustin indicated, a signal
28 or some kind of turn lane might be required on Crile
29 Road due to the increased traffic for whatever
30 businesses are going in. So you're going to hear that

1 for every single project.

2 MR. SCHINDLER: So once that study's done is
3 when that finally gets approved by the board and the
4 township?

5 MS. FREEMAN: Well, the zoning approval would
6 be done. They always have to comply with the county
7 agencies.

8 MR. SCHINDLER: Correct. Okay.

9 MS. FREEMAN: The Lake County Engineers, Soil
10 and Water, so we just try to get their comments early
11 on so the know what's expected of them.

12 MR. SCHINDLER: Okay. Thank you.

13 CHAIRMAN MCINTOSH: I don't know if that gives you
14 an opportunity to kind of segue into the fifth point
15 there.

16 MR. BENTON: Correct. Yeah, so it's actually
17 a very good segue. It's asking about the exit only and
18 a possible gate at the exit only where here it is
19 recommended that we do not install a gate but install
20 essentially a stub and empty conduit in case a gate
21 were to be needed due to patrons going the wrong
22 direction through this area. It is our intent that
23 it's an exit only and that we have a -- you know, the
24 recommendation is that we have an illuminated sign.
25 We're okay with that, that we can certainly provide an
26 illuminated sign for "Do Not Enter." That's, you know,
27 a preference of us, of ours over the gate as well.

28 CHAIRMAN MCINTOSH: Ultimately you're designing this
29 to have sort of traffic only flowing out that one way
30 and I assume that's kind of a result of the fact that

1 the other side wouldn't do a shared? That's kind of
2 how we ended up there is that putting another full
3 service driveway right up next to another one that
4 close would have been problematic; is that why we're
5 doing or suggesting they only do a one-way entrance?

6 MR. BENTON: That's part of it, yes.

7 CHAIRMAN MCINTOSH: Yeah.

8 MS. GERMOVSEK: I guess I don't understand the
9 traffic flow when you say entrance and exit. Which way
10 is it going there?

11 MR. BENTON: Okay. So if you come down
12 Crile --

13 MS. GERMOVSEK: Yeah.

14 MR. BENTON: -- your entrance would be
15 here --

16 MS. GERMOVSEK: Okay.

17 MR. BENTON: -- in which case they have the
18 option of going here or this direction and around the
19 building and this is an exit only here. These lanes
20 are both direction. So if someone wanted to reverse
21 course, come out the way they came in, they can.

22 MS. GERMOVSEK: Okay. So you could enter over
23 here?

24 MR. BENTON: Here?

25 MS. GERMOVSEK: Right there.

26 MR. BENTON: No. This is not -- this is --

27 MS. GERMOVSEK: That's going to be where the
28 "Exit Only" sign is?

29 MR. BENTON: Where the "Exit Only" sign would
30 be, yes.

1 MS. GERMOVSEK: Okay.

2 CHAIRMAN MCINTOSH: Well, it wouldn't really serve
3 anyone to go that way, because to get to anything
4 meaningful, they'd almost have to go all the way
5 around the building.

6 MR. BENTON: They'd have to come all the way
7 around anyways.

8 CHAIRMAN MCINTOSH: Where are entrance points from
9 the standpoint of guests once they check in and they're
10 not going through the front, are there alternate
11 entrance points?

12 MR. BENTON: There's an entrance right here.

13 CHAIRMAN MCINTOSH: Yeah.

14 MR. BENTON: This is the main entrance.

15 CHAIRMAN MCINTOSH: Yeah.

16 MR. BENTON: There is what I will call a
17 secondary entrance, which is here. These two have
18 vestibules. There will be a third here. There's a
19 plan for a fourth that we are working on, but at this
20 point in time do not have formalized. And these all --
21 here and if we put one here, those are end of
22 corridors.

23 CHAIRMAN MCINTOSH: Right.

24 MR. BENTON: So it would be direct access at
25 the end of a corridor. There is also an exit here
26 outside the pool that feeds this space. Those are the
27 main points.

28 CHAIRMAN MCINTOSH: Okay. Is there any more
29 questions for Mr. Benton? We do have two parts of
30 this, so I think we'll kind of wrap up the conversation

1 on the site plan and unless you want to kind of
2 continue and go right through your review and we can
3 kind of deal with our business on the back side.

4 MR. BENTON: I can certainly do that,
5 continue with the design review portion.

6 CHAIRMAN MCINTOSH: Sure.

7 MR. BENTON: Okay. We are only partial
8 elevation here to begin with. When we were in for our
9 variance appeal, we had asked for a 50 foot tall
10 variance for this building, which we were granted. At
11 50 foot is here. The building is primarily a EIFS
12 building with a stone veneer at certain points. This
13 tower is one. We also continue that same veneer at
14 many blocks all the way around the building. These
15 areas down here touch the ground. In a couple
16 instances we do wrap and brings EIFS towards the ground
17 as part of to try and stay with the brand signature
18 look. They do have this look that wraps and folds
19 around the building. So we're trying not to get
20 completely away from the building, but still -- from
21 their brand, but still respect the wishes of Concord to
22 have a building that looks durable and has the earth
23 tones and the earth nature material as well.

24 So you will also find that these blocks here, same
25 thing here, are that stone material. There are two
26 different colors of that material, one that is a darker
27 brown and one that's a lighter brown or brownish gray,
28 if you will. We do keep with the earth tone colors, a
29 muted blue, a tan. Our only exception is going to be
30 the Home2 green. We're trying to limit that so that we

1 stick with the intent of the ordinance here.

2 This part here, which is right here, is an
3 illuminated cap. I will get to that more in a second.

4 This building will also have a porte cochere on it,
5 so a place for the cars to go when you're dropping off
6 people, keep them under shelter during rain or out here
7 during our snow events.

8 MR. REPERT: But there's still a gap between
9 that and the building.

10 MR. BENTON: Usually what happens is we do
11 come back and build -- there's -- it's hard to see --
12 there ends up being a little -- a little canopy that
13 sticks out a couple feet, so you don't have a big -- a
14 big or any gap with that.

15 This is our secondary entrance that we walk into, so
16 there's still a storefront look to that as well, which
17 is very similar to what is going on at the primary
18 entrance.

19 Here, you can't see it, so let me move this, this
20 item here is our pool, our indoor pool that sticks out
21 of the building. It gives, you know, a little bit of
22 relief but a one story area as well.

23 As well we will go ahead and use the materials from
24 the base of our building, bring that out into our
25 dumpster enclosure, which has on the end of it a small
26 shed for storing items pertaining to the maintenance of
27 the property as well. So you see the three sides and
28 this would be your front that you would see. We will
29 make sure this has an opaque material there so you
30 don't actually see the dumpsters.

1 So this is what we intend for the building to look
2 like and this is taken from the Gold Court looking down
3 to the end of the property so basically where our
4 one-way entrance is -- sorry, our one-way exit is right
5 here. This is our entrance with our building signage
6 or entrance signage, monument sign, the L-shaped
7 building and here's our one-story pool that is somewhat
8 masked by some of the other things going on. We have
9 our mounds, our trees. Over here you can kind of see
10 how this beacon is, what they call it, the beacon on
11 top of the building actually looks, and the bottom
12 photo is how -- how the brand intends for it to look at
13 nighttime with having the beacon actually truly being a
14 beacon that you can spot from a short distance away so
15 you know where you're going. But it's supposed to be a
16 very inviting element for the patrons.

17 MS. GERMOVSEK: Which one is the color, the top
18 one or is that just night?

19 MR. BENTON: Oh, that's night and day.

20 MS. GERMOVSEK: So it's a light beige. Is that
21 -- this looks like a gray.

22 MR. BENTON: Yeah, that could be printer
23 variations on that one, but yeah, it's beige, beige-ish
24 tan and this is a muted blue, which has a little bit of
25 gray range to it.

26 MS. GERMOVSEK: The lime green, that's your
27 signature?

28 MR. BENTON: That's their signature color and
29 amongst their many different color variations of the
30 prototype, this is actually probably the most muted.

1 They have everything from very, very dark colors to
2 very vibrant colors, I mean, vibrant for the whole
3 building. So this one is actually ordinancewise the
4 most fitting.

5 MR. REPPERT: You're using this commercial
6 cement plaster where? Where is that being used?

7 MR. BENTON: So that is the EIFS.

8 MR. REPPERT: Which is where?

9 MR. BENTON: That is all over the place, all
10 this monolithic looking stuff, all over.

11 MR. REPPERT: Do you have any testing or
12 history of this? This is relatively new.

13 MR. BENTON: It's actually a very commonly
14 used material. It's around everywhere.

15 MR. REPPERT: Northeast Ohio?

16 MR. BENTON: Yes.

17 MR. REPPERT: How does it hold up to our
18 winters?

19 MR. BENTON: So it's been -- it's been used
20 for more than twenty years. It holds up. They use
21 different types of meshes and different types of
22 compounds to deal with the different types of climates.
23 Probably that material's far -- it's -- the biggest
24 problem is actually water, actually water that sits in
25 it, because it is styrofoam, for all intents and
26 purposes. And if water is allowed to intrude into it,
27 it can deteriorate. However, the manufacturers of
28 this, Dryvit is probably the most well known, they use
29 different kinds of meshes and other types of topcoats,
30 plasters that don't allow water penetration. So it's

1 proven to be a very good material over time.

2 MR. REPPERT: The reason I ask, whenever I see
3 plaster in Northeast Ohio as an exterior building
4 material, it just doesn't fit because with our
5 freeze/thaw cycles all the time, we can have a day in
6 January that's minus five and two weeks later it's 45.

7 MR. BENTON: Right.

8 MR. REPPERT: That's what Northeast Ohio is
9 all about.

10 MR. BENTON: And this is on a -- it is
11 applied to a fiberglass mesh, which is rather dense and
12 durable, and covered with paint as well, so you have an
13 extra layer of water protection there. It's -- this
14 product's been used for twenty years or more up in
15 Northeast Ohio. I've been using it for a very long
16 time.

17 Actually, we've taken this very same product, we're
18 using it where I work at a project in Chicago, which
19 has a very brutal winter, and Chicago definitely
20 embraces the material. Additionally, it's material --
21 with the new energy codes, it's very compatible with
22 the new energy code asking for continuous insulation on
23 the exterior of the building, so it boosts our building
24 efficiency as well.

25 MR. REPPERT: All right. Thank you.

26 CHAIRMAN MCINTOSH: Any other questions?

27 MR. LINGENFELTER: I would be interested to know
28 what the -- I don't know if you're the person to answer
29 this question or not, but I would be interested to know
30 what the target clientele is for this hotel. Home2

1 Suites to me connotes long-term stay. Home2 Suites
2 kind of connotes something long term, not short term,
3 weekly rentals, monthly rentals. You know, what's -- I
4 would be interested to know what the target audience is
5 for this particular hotel.

6 MR. PATEL: It's not for -- my name is Kiran
7 Patel, by the way. It's not really targeted for real
8 long-term extended stay or anything like that. It's
9 catered for people that want to stay for a few days.
10 It's targeted for clients that are staying for three,
11 four, five days, maybe a week. It's going after upper,
12 mid-scale clientele that are staying at properties such
13 as Holiday Inn Express, Hampton Inn, Hilton Garden Inn,
14 those type of clientele.

15 MR. LINGENFELTER: I'm just curious because
16 Concord's kind of a -- you know, we're out away from
17 the bigger population centers. We don't have any real
18 attractions from a stay standpoint. I'm just curious.
19 And this is going to be right in the back yards of
20 club, you know, residents. I would just be interested
21 in what kind of clientele a hotel like this would
22 attract.

23 MR. PATEL: It's going to attract quite a
24 lot of families and stuff.

25 MR. LINGENFELTER: What are they using this as, a
26 stopover to where?

27 MR. PATEL: A place to rest, a place to stay
28 because it offers breakfast and things like that as
29 well. It's got a pool in there for the kids. It's a
30 transient hotel as well. It's not just necessarily a

1 business hotel.

2 CHAIRMAN MCINTOSH: Is this like the -- is it one of
3 those -- I can't think of what the Marriott equals. Is
4 it just room or does it have a -- like a --

5 MR. PATEL: It's not a -- it doesn't have a
6 full service kitchen or anything like that, but it does
7 have dishes and things like that.

8 CHAIRMAN MCINTOSH: Okay.

9 MR. PATEL: So if they want to heat up a
10 meal in the room --

11 CHAIRMAN MCINTOSH: Okay.

12 MR. PATEL: -- they will have that type of a
13 facility.

14 CHAIRMAN MCINTOSH: So it's a little more than your
15 ordinary hotel room, it's got a few extra
16 accommodations?

17 MR. PATEL: Exactly. And the hotel will
18 have a little store in there where they can buy frozen
19 dinners and things like that that they can take up to
20 the room and heat it up in the room, because they'll
21 have dishes and things like that in the room as well.

22 CHAIRMAN MCINTOSH: So from the standpoint of the
23 township, we have a lot of things going on. We're
24 developing this area. We have the interstate traffic,
25 I think generally speaking in the area we've got a
26 little bit of business clientele. I mean, from your
27 demographic research and looking at it, what kind of --
28 I mean, are you seeing a variety of this or is there a
29 concentration of one part of what's happening in
30 Concord? Are you looking at interstate traffic, a lot

1 of it, people coming through, or is it a mix?

2 MR. PATEL: You know, the demographics are
3 changing. A lot of people want healthy. So a lot of
4 people what they do is they go to the grocery store
5 these days, they get their own food, they bring it to
6 the room and they fix their own meal, so that's what
7 we're looking for. Then there are people that will go
8 out, they'll have leftovers, they'll bring it to the
9 room as well and they'll reheat it and eat it the next
10 day as well. That's what we're looking for.

11 CHAIRMAN MCINTOSH: Okay.

12 MR. PATEL: Any other questions? Thank you.

13 CHAIRMAN MCINTOSH: I had a question. I apologize.
14 It kind of jerks us back to the site plan, though. I
15 saw on the staff work a lot of conversations with
16 respect to the City of Painesville and the water and
17 there was some suggestions about the loop and the fire.
18 Can you -- I didn't see any definitive decision had
19 been made. Can you kind of talk about what direction
20 that's headed?

21 MR. BENTON: Right. So at this point in time
22 it's going to become a larger conversation, because you
23 do have two property owners now at the end of Gold
24 Court, plus two or more than that possibly that are
25 situated closer to Crile. This is really in regards to
26 putting some different valving in, I believe, along
27 Crile so that if you have an emergency situation that
28 that is not impacting these hotels in particular at the
29 end, who then would be susceptible to any kind of fire
30 or anything like that. That's something that we need

1 to work out amongst all of them, because I noticed some
2 cost sharing that might be asked for. It's something
3 we need to get all the parties together and have a
4 conversation. So it might be -- it might be even a
5 larger issue than what we're talking about here.

6 CHAIRMAN MCINTOSH: Okay. Any further questions
7 from the board?

8 MR. REPPERT: None.

9 MR. SCHINDLER: One I had about the exits, the
10 other exits. Is yours going to have like most hotels
11 where they can only come in if they're a guest, they
12 have a key or electronic key for the door where you
13 only allow them to come in?

14 MR. BENTON: On the outside?

15 MR. SCHINDLER: Yes.

16 MR. BENTON: Yes, so that is -- that is
17 typically part of your access card does occur. Many
18 locations also have like a nighttime lock that occurs
19 where you can get into the vestibule but you can't get
20 past the next door unless you have a key card or you're
21 buzzed into the building.

22 MR. SCHINDLER: Thank you.

23 CHAIRMAN MCINTOSH: Okay. We'll need to conduct two
24 votes, both on the site plan application and then
25 following that on the design review application. So
26 taking matters in the order as they appear on the
27 agenda, I will enter --

28 MR. LINGENFELTER: I have a question for -- excuse
29 me, Mr. Chairman. I'm sorry for interrupting. I have
30 a question for Heather. Did we -- what was the -- what

1 was the overall tone on the request for the variance
2 for the height? It was granted through the BZA, I
3 assume?

4 MS. FREEMAN: What was --

5 MR. LINGENFELTER: Variance for the height of the
6 building.

7 MS. FREEMAN: Your question is what?

8 MR. LINGENFELTER: What was the overall tone of
9 the --

10 MS. FREEMAN: What was the vote on it?

11 MR. LINGENFELTER: Yeah.

12 MS. FREEMAN: I don't recall what the vote
13 was, if it was unanimous or not.

14 MR. LINGENFELTER: Do you know what the
15 justification was for allowing this to exceed? Do you
16 remember? Just curious.

17 MS. FREEMAN: Well, I think -- I can try to
18 summarize it. I know Mr. Benton indicated the highest
19 point was -- the top of that beacon was 50 feet, but
20 the height of the building itself below where the --
21 you know, before you get to the parapet was closer to
22 40. I don't have that number.

23 MR. BENTON: It was 42 or something like
24 that.

25 MS. FREEMAN: So 42-ish, 43, which the typical
26 height in that district was 40 feet, which is kind of
27 universal across all of our districts.

28 MR. LINGENFELTER: Uh-huh.

29 MS. FREEMAN: As you know, we've adopted the
30 Capital District which does allow 60 feet and what

1 we're hearing from the other hotel and this hotel when
2 they came in front of the BZA, in order to make a
3 project work in order for a brand allowing people to
4 pitch the site, they have to be in an area somewhere
5 you can build a four-story building, which is difficult
6 to keep that at 40 feet. So a lot of that was taken
7 into consideration when granting the variance for this
8 -- for this particular one and the other one was
9 granted previously.

10 MR. SCHINDLER: It didn't have anything to do
11 with fire, did it, access with equipment that we have?

12 MS. FREEMAN: For the height?

13 MR. SCHINDLER: Yeah.

14 MS. FREEMAN: No. I mean, I know that the
15 fire department is comfortable with that. They have
16 the ability to give adequate protection should they
17 need it.

18 MR. SCHINDLER: Okay.

19 MS. FREEMAN: And ultimately height was not an
20 issue with our fire codes.

21 MR. SCHINDLER: Okay. Thank you.

22 MR. LINGENFELTER: What about the setback, the 34
23 feet in lieu of the 50 feet required? What was the --
24 what was the thoughts on that? Sorry.

25 MS. FREEMAN: Yeah, that's okay. I don't know
26 if it's appropriate to try to recall or summarize that.
27 I mean, ultimately they approved it. They found that
28 there was a practical difficulty with complying. I
29 know for a fact that it was a one-story portion of the
30 building rather than the four-story portion of the

1 building projecting into that 50 foot, plus when you're
2 at the end of a cul-de-sac, that pushes -- the right of
3 way seems way farther back than if you were just at a
4 straight section of Gold Court, so all of that, trying
5 to make the circulation work. And then if you look at
6 the site plan, they didn't even go 34 feet. You were
7 further back than the amount of area that you initially
8 requested. It was in the forties, so it was not even
9 -- they didn't even end up being that far into the
10 setback. It was 47.48. It was a small section of the
11 building that basically clipped that 50 foot.

12 MR. LINGENFELTER: Okay. Thanks. Appreciate it.

13 MS. FREEMAN: Sure.

14 CHAIRMAN MCINTOSH: Any discussion or questions or
15 comments?

16 MR. LINGENFELTER: No.

17 CHAIRMAN MCINTOSH: Okay. Back to the agenda,
18 taking things as they appear in order, I will entertain
19 a motion to approve Site Plan Review Application #036.

20 MR. SCHINDLER: Mr. Chairman, I make a motion
21 that we accept the Site Plan Review for Application
22 #036.

23 CHAIRMAN MCINTOSH: I think I should actually
24 restate that. That would be a conditional approval
25 based on the recommendation of the staff report.

26 MR. SCHINDLER: Right. Based on them following
27 all the recommendations of the conditions, various
28 departments.

29 MR. REPPERT: I'll second.

30 CHAIRMAN MCINTOSH: Okay. Heather, can you call the

1 roll, please?

2 MS. FREEMAN: Sure.

3 Mr. McIntosh?

4 CHAIRMAN MCINTOSH: Yes.

5 MS. FREEMAN: Ms. Germovsek?

6 MS. GERMOVSEK:Yes.

7 MS. FREEMAN: Mr. Reppert?

8 MR. REPERT: Yes.

9 MS. FREEMAN: Mr. Lingenfelter?

10 MR. LINGENFELTER: No.

11 MS. FREEMAN: Mr. Schindler?

12 MR. SCHINDLER:Yes.

13 CHAIRMAN MCINTOSH: Then moving onto the second item

14 of the agenda, the Design Review for Application #036.

15 I will entertain a motion to accept that also in line

16 with staff recommendations.

17 MR. REPERT: Mr. Chairman, I make a motion

18 that we accept the design review application as noted.

19 CHAIRMAN MCINTOSH: And a second?

20 MR. SCHINDLER: I second.

21 CHAIRMAN MCINTOSH: Heather, will you call the roll,

22 please?

23 MS. FREEMAN: Ms. Germovsek?

24 MS. GERMOVSEK:Yes.

25 MS. FREEMAN: Mr. Reppert?

26 MR. REPERT: Yes.

27 MS. FREEMAN: Mr. McIntosh?

28 CHAIRMAN MCINTOSH: Yes.

29 MS. FREEMAN: Mr. Lingenfelter?

30 MR. LINGENFELTER: No.

1 MS. FREEMAN: Mr. Schindler?
2 MR. SCHINDLER: Yes.
3 CHAIRMAN MCINTOSH: Okay. Carrying on to the
4 balance of our agenda, we have the approval for the
5 meeting of August 7th, just last month. Any comments
6 or revisions to the minutes?
7 Do we have a motion to approve? Motion to approve?
8 MR. SCHINDLER: Mr. Chairman, I make a motion to
9 accept the minutes, excuse me, yes, of August 7th.
10 CHAIRMAN MCINTOSH: Second?
11 MS. GERMOVSEK: I will second that.
12 CHAIRMAN MCINTOSH: All in favor?
13 MR. REPERT: Aye.
14 MS. GERMOVSEK: Aye.
15 CHAIRMAN MCINTOSH: Aye.
16 MR. LINGENFELTER: Aye.
17 MR. SCHINDLER: Aye.
18 CHAIRMAN MCINTOSH: Opposed?
19 Motion carries. The minutes are approved.
20 Correspondence of the Zoning Commission members.
21 Frank?
22 MR. SCHINDLER: None, Mr. Chairman.
23 CHAIRMAN MCINTOSH: Andy?
24 MR. LINGENFELTER: No.
25 CHAIRMAN MCINTOSH: Sue?
26 MS. GERMOVSEK: No.
27 CHAIRMAN MCINTOSH: Hiram?
28 MR. REPERT: None.
29 CHAIRMAN MCINTOSH: I also did not have any
30 correspondence.

1 Item No. 5 on the agenda, the audience participation
2 portion. This is a portion of the meeting that's open
3 to the public to comment and to dialogue with the
4 Zoning Commission and ask questions and so forth. Is
5 there anybody present this evening that would like to
6 discuss any matters with the Zoning Commission?

7 MR. LINGENFELTER: Don't rush up all at once.

8 CHAIRMAN MCINTOSH: Seeing no interest in audience
9 participation, I'll move forward to the next meeting
10 will be Tuesday, October 2, 2018.

11 And with that we will adjourn the meeting.

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13 (Meeting Adjourned at 7:45 P.M.)

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CERTIFICATE

I, Susan Goodell, hereby certify that the foregoing pages constitute a true and complete transcript of the testimony requested to be transcribed from my Stenograph notes, taken at the time and place designated herein.

WITNESS MY SIGNATURE THIS 1st day of October, A.D. 2018.

SUSAN GOODELL