

CONCORD TOWNSHIP BOARD OF ZONING APPEALS
LAKE COUNTY, OHIO
REGULAR MEETING

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

January 10, 2024
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Appeals Board members present:

Ivan Valentic, Chairman

Francis Sweeney, Jr.

Ashley Garcar, Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector

Bridey Matheney, Esq., Legal Counsel

<p style="text-align: right;">Page 2</p> <p>1 PROCEEDINGS</p> <p>2 THE CHAIRMAN: Good evening. The</p> <p>3 Concord Township Board of Zoning Appeals for</p> <p>4 January 2024 is now in session.</p> <p>5 I would like to introduce the Board.</p> <p>6 To my far left is Skip Sweeney. I'm Ivan</p> <p>7 Valentic. To my right is Ashley Garcar. To</p> <p>8 our far right is Heather Freeman, our Zoning</p> <p>9 Inspector.</p> <p>10 Under the advice of counsel, we ask</p> <p>11 that anyone speaking tonight must be sworn in.</p> <p>12 If you plan on speaking, please stand and</p> <p>13 raise your right hand. I encourage you if</p> <p>14 there is a chance you're going to speak,</p> <p>15 please be sworn in now.</p> <p>16 (Oath administered)</p> <p>17 THE CHAIRMAN: Thank you. Please</p> <p>18 be seated. This evening, when presenting your</p> <p>19 case or commenting please come to the</p> <p>20 microphone. We need everyone to state your</p> <p>21 name and your address. And we need you to</p> <p>22 confirm that you've been sworn in.</p> <p>23 Again, all discussion should happen at</p> <p>24 the microphone, okay. Everyone will have a</p> <p>25 chance to speak. I would just encourage you</p>	<p style="text-align: right;">Page 4</p> <p>1 up here to approve any conditional use permits</p> <p>2 or variances, okay.</p> <p>3 So the first thing is going to be old</p> <p>4 business. Appeal Number 2018-41, Mr. Randy</p> <p>5 Viviani of 7757 Concord, LLC requests</p> <p>6 administrative appeal from the determination</p> <p>7 by the Zoning Inspector that a zoning permit</p> <p>8 and certificate of zoning compliance are</p> <p>9 required for a new business to occupy a vacant</p> <p>10 commercial building pursuant to Sections 11.01</p> <p>11 and 12.01 of the Concord Township Zoning</p> <p>12 Resolution for the property located at 7757</p> <p>13 Auburn Road, Unit 12, currently known as</p> <p>14 permanent parcel number 08-A-020-0-00-036-0.</p> <p>15 This appeal is going to be tabled for our next</p> <p>16 meeting. It's been on our docket or a little</p> <p>17 while.</p> <p>18 Next will be some new business. The</p> <p>19 first is Conditional Use Permit Application</p> <p>20 2023-27. Ralph Victor Construction, Inc. is</p> <p>21 requesting an approval for a conditional use</p> <p>22 permit in accordance with Section 13.05 to</p> <p>23 have a commercial center in a planned unit</p> <p>24 development as required in Section 16.07(E).</p> <p>25 This is the property located at the corner of</p>
<p style="text-align: right;">Page 3</p> <p>1 if another resident or neighbor has said</p> <p>2 something, you don't have to repeat it, unless</p> <p>3 you really want to. You can just say I agree</p> <p>4 with what I've heard tonight, what my</p> <p>5 neighbors have said. Then you can add</p> <p>6 additional dialogue. We're going to give</p> <p>7 everybody a chance to speak tonight that would</p> <p>8 like to speak. We will try to keep this in an</p> <p>9 orderly fashion. Again, directing any</p> <p>10 comments to us. It's all handled up here at</p> <p>11 the podium, okay.</p> <p>12 Heather, were the legal notices</p> <p>13 published in a timely manner?</p> <p>14 MS. FREEMAN: Yes.</p> <p>15 THE CHAIRMAN: Thank you.</p> <p>16 We have one piece of old business. One</p> <p>17 conditional use permit and a variance</p> <p>18 application request. A three-vote majority is</p> <p>19 required to either approve or deny an appeal.</p> <p>20 If a request is denied, you have the right to</p> <p>21 file an appeal.</p> <p>22 Obviously we're missing some members</p> <p>23 today unfortunately. We usually have five,</p> <p>24 but we have three. This evening for any</p> <p>25 approvals would require all three individuals</p>	<p style="text-align: right;">Page 5</p> <p>1 Crile and Hunting Lake Drive, parcel number</p> <p>2 08-A-020-C-00-002-0. Mr. Ralph Victor,</p> <p>3 please come up.</p> <p>4 MR. VICTOR: Todd Victor.</p> <p>5 THE CHAIRMAN: Okay, I'm sorry.</p> <p>6 Please state your name, address, and confirm</p> <p>7 you have been sworn in.</p> <p>8 MR. VICTOR: Todd Victor at 20</p> <p>9 Alberta Road, Painesville. I've been sworn</p> <p>10 in.</p> <p>11 THE CHAIRMAN: Thank you, sir. If</p> <p>12 you want to kind of go through, kind of</p> <p>13 present your case for the Conditional Use</p> <p>14 Permit application, we're going to have to</p> <p>15 come back up for the variance application as</p> <p>16 well, and go through that separately, but if</p> <p>17 you want to talk about together, that's okay</p> <p>18 too.</p> <p>19 MS. FREEMAN: Mr. Chairman, sorry</p> <p>20 to interrupt you but before we proceed, would</p> <p>21 you please confirm with the applicant that he</p> <p>22 wishes to proceed with three Board members</p> <p>23 rather than five.</p> <p>24 THE CHAIRMAN: As you notice, we</p> <p>25 only have three members this evening.</p>

1 MR. VICTOR: Right.
2 THE CHAIRMAN: Do you want to move
3 forward with your application this evening?
4 MR. VICTOR: Yes.
5 THE CHAIRMAN: Conditional Use
6 Permit and variance?
7 MR. VICTOR: Yes. We want to
8 take one variance off. When we get to that
9 point, we will do that.
10 AUDIENCE: We can't hear at all.
11 THE CHAIRMAN: Okay. We'll try to
12 speak up.
13 MR. VICTOR: We want to build a
14 building. We're trying to put the plan
15 together, build a building with our new
16 offices on the one end of it. Then have a
17 couple spots for retail on the building. The
18 warehouse part -- should I speak about that
19 now, the warehouse part?
20 THE CHAIRMAN: You can present
21 whatever you want to present.
22 MR. VICTOR: The warehouse part
23 would be -- it's mainly for a garage for our
24 cars to pull into in the back of our offices.
25 (Audience talking)

1 MR. VICTOR: The smaller
2 building could be, we want -- it could be
3 retail, could be a restaurant. We were going
4 to take out the drive-thru right now. If
5 someone wanted a drive-thru, they will have to
6 come back later, try and get the drive-thru if
7 they wanted to use that building for a
8 drive-thru. We're going to take that one off
9 for the variance. We're going take the
10 drive-thru part out of it.
11 THE CHAIRMAN: Because it currently
12 shows a drive-thru.
13 MR. VICTOR: Right.
14 THE CHAIRMAN: So, what are you
15 envisioning that building is then, that
16 smaller building?
17 MR. VICTOR: It could be retail.
18 Could be like a Jersey Mike's possibly or
19 something like that.
20 THE CHAIRMAN: With no drive-thru.
21 MR. VICTOR: With no drive-thru.
22 We're not building that right away. We're not
23 going to build that unless somebody wants it
24 for whatever they want to use it for. We've
25 just got to be able to market something, be

1 THE CHAIRMAN: Excuse me, folks,
2 again, all the commenting has to happen up at
3 the microphone. I ask for everybody to be
4 quiet.
5 Mr. Victor, if you could try to speak a
6 little bit louder so the people in the back
7 can hear you.
8 MR. VICTOR: The warehouse part
9 on the building would be on the back of our
10 offices for our cars to pull in when we are
11 there.
12 THE CHAIRMAN: Is that the larger
13 building that is shown on the plan?
14 MR. VICTOR: Right. We were
15 only going to take up 5,000 square feet of it.
16 The building is about 13,000 square feet, so
17 we will have a couple extra spots for retail
18 or whatever at that time someone would you
19 want to put in there.
20 THE CHAIRMAN: You don't have any
21 uses --
22 MR. VICTOR: We don't have any
23 tenants for that right now, no.
24 THE CHAIRMAN: -- for that building.
25 What about the smaller building that's shown?

1 able to tell people what, you know, what we
2 can build there and have something to market.
3 THE CHAIRMAN: There's two drives
4 shown. One off of Hunting Lake Drive, which
5 is an in and out, then the one off Crile was a
6 right turn in I guess only, and a right turn
7 out only.
8 MR. VICTOR: Right.
9 THE CHAIRMAN: Was there a traffic
10 analysis done, or any traffic work done to
11 kind of analyze why it's a right in and out
12 only?
13 MR. VICTOR: I'm pretty sure
14 Dave Novak talked to the county and they would
15 not want you to be able to turn left out of
16 there when you are going out, or coming in
17 from the north. They wouldn't want you to be
18 turning in that way either, coming from the
19 north to the south.
20 THE CHAIRMAN: Okay.
21 MR. SWEENEY: Mr. Victor, can you
22 pull that mike close to your mouth? We have a
23 lot of people in here and they can't hear. I
24 can barely hear you.
25 MR. VICTOR: We met --

1 MR. SWEENEY: That's still not good
2 enough. Keep it very close. These people
3 can't hear you.

4 MR. VICTOR: We met with Concord,
5 with Heather, and they suggested to put the
6 one on Hunting Lake, the entrance on Hunting
7 Lake back farther. We had it up closer to
8 Crile. So we moved it all the way to the
9 back, that entrance.

10 MS. GARCAR: I have a question
11 maybe for legal. I feel like we're jumping
12 from two different variances. If both
13 variances, starting with 2023, if we do not
14 approve 27, that talks about two buildings, if
15 we denied that, does the 142 even matter?

16 MS. MATHENEY: Probably not.

17 THE CHAIRMAN: Right now we're --
18 the first vote will be for the conditional use
19 permit only.

20 MS. GARCAR: We're talking about
21 drive-thru, which is 142.

22 THE CHAIRMAN: Yeah. He's
23 presenting, you know, his conditional use
24 which, you know, could include a drive-thru,
25 he says right know it's not going to include a

1 MR. VICTOR: It's an office. It's
2 going to be our offices. In the back it will
3 have a garage to pull our vehicles into.

4 MS. GARCAR: Is this an expansion
5 of your construction company, or a replacement
6 of your existing building? Are all of your
7 trucks wherever they are now staying there, or
8 are you buying more?

9 MR. VICTOR: There is only three
10 of us that work there. Two of them are ladies
11 that drive cars, and my car. We don't have
12 trucks right now. I keep my truck at my
13 house.

14 MS. GARCAR: So then the garage is
15 for staff parking?

16 MR. VICTOR: Yes.

17 MS. GARCAR: Not for construction
18 trucks?

19 MR. VICTOR: No.

20 THE CHAIRMAN: I think then maybe
21 the issue is a warehouse is not permitted in
22 this zoning district. So that's where --

23 MR. VICTOR: Correct, that's why
24 we need that variance.

25 MS. GARCAR: So --

1 drive-thru, but it should be, you know, you
2 should consider it, I think, as part of
3 providing a conditional use permit approval.

4 MS. GARCAR: I just wanted to make
5 sure on that.

6 So, Mr. Victor, the larger building of
7 the two that you guys are requesting, as of
8 right now if we deny 27, which is the two
9 buildings, you are allowed to still put a
10 retail -- not a drive-thru, a retail or
11 restaurant on that property; is that correct?

12 MR. VICTOR: Say that again.

13 MS. GARCAR: If the 27 approval is
14 for you to be building your commercial
15 building.

16 MR. VICTOR: Okay.

17 MS. GARCAR: Is that what you were
18 asking for?

19 MR. VICTOR: Yes.

20 MS. GARCAR: Your commercial
21 building that is partially for a new office
22 building for Victor Construction?

23 MR. VICTOR: Right.

24 MS. GARCAR: Office building or a
25 garage?

1 MR. VICTOR: We can call it a
2 garage. Is that permitted?

3 THE CHAIRMAN: I don't know if a
4 garage is permitted. I know a warehouse
5 isn't. It's part of your retail, part of that
6 larger office building.

7 So I mean the other thing I struggle
8 with a little bit is what are the other retail
9 uses, not knowing what they are, and providing
10 a conditional use permit. The drive-thru
11 retail is not allowed. Drive-thru in this
12 district is not allowed. I know you said you
13 had taken that off. I don't think we can --
14 obviously we can't approve or we can consider
15 approving a conditional use permit with a
16 drive-thru but it's not allowed and a
17 warehouse isn't allowed. Depends on which
18 retail is going in, I think we need -- we
19 should have, to approve the conditional use
20 permit, we should have some sense of what
21 might that retail may be. So I don't know
22 what it is. Is it a --

23 MR. VICTOR: We don't have any
24 tenants.

25 MS. GARCAR: So the garage --

1 MR. VICTOR: The JEDD might help
2 us get tenants. I don't know.

3 MS. GARCAR: So the garage is for
4 personal cars, not construction vehicles?

5 MR. VICTOR: Right.

6 MS. GARCAR: Do you guys
7 currently, at your current location, have a
8 garage for your personal vehicles when you
9 park?

10 MR. VICTOR: No.

11 MS. GARCAR: What's the reasoning
12 for asking for a warehouse that personal cars
13 can be parked at versus construction? I
14 understand parking construction cars in a
15 large warehouse but personal cars, is that a
16 necessity for your new building?

17 MR. VICTOR: We would like the
18 garage back there so we can pull in. Our
19 couple girls don't like to shovel snow off
20 their cars and stuff, when they are working
21 there.

22 MS. GARCAR: Okay. I think the
23 other --

24 MR. VICTOR: It's less parking out
25 in the parking lot too that they would take

1 MR. VICTOR: There are 62 required
2 if everything is retail and our office.

3 MS. GARCAR: According to our
4 staff report of what you gave us in proposals,
5 which maybe you've updated the proposals and
6 have not given us updated proposals to give
7 correct parking spots? Heather, could you --

8 MS. FREEMAN: Yes. I've been
9 sworn in. The parking in the PUD for
10 commercial is just based on Section 16.09
11 which says one space for every 200 square feet
12 of floor area. It does not make a difference
13 what the users are. As opposed to our
14 traditional commercial districts. I think
15 that was confusing where Mr. Novak has both on
16 here, where I indicated the zoning or the
17 parking requirements are based on 16.09. If
18 you are looking at his site plan, Todd, at the
19 very bottom, right column, that is how we are
20 calculating the parking. The other ones based
21 on the different users is not applicable in
22 the PUD district.

23 MS. GARCAR: The 80 parking spots
24 according to the plans we have.

25 MS. FREEMAN: Based on the square

1 up.

2 MS. GARCAR: Right. I think part
3 of the conditional use ending in 27 is also
4 not only the two buildings, which is a large
5 warehouse with a garage for personal cars,
6 which is currently not allowed in current
7 zoning, it is also asking to change up from 80
8 parking spots to 53 parking spots.

9 MR. VICTOR: Well, it depends on
10 what -- who's going to take the other space in
11 the building. Based on it's different for
12 retail, and it's different for a restaurant,
13 how many parking spots you need. Right now we
14 can't really tell you the exact amount.
15 That's not counting all the land bank over
16 here. So we would put as many spaces in as we
17 need, depending on who takes the spots, and
18 what's in there.

19 MS. GARCAR: According to the
20 proposal you sent in, it has 53 spots.

21 MR. VICTOR: No, it has 59.

22 MS. GARCAR: That might have been
23 updated by a couple, but still compared to the
24 80 required by the amount of square footage in
25 buildings you guys are proposing.

1 footage of the two buildings that are proposed
2 on the site.

3 MS. GARCAR: Now has there been an
4 updated plan given to us, that updates it to
5 the 59 spots versus the 53?

6 MS. FREEMAN: That's the one I
7 just sent you over, you received. Slight
8 change. I can let Mr. Victor talk about that.

9 MR. VICTOR: We can get the 80
10 on there. We thought that we would have to
11 change it based on the usage, whoever would
12 rent the spots. But according to Heather, we
13 need 80. Over on the land bank side we can
14 get the 80 spots.

15 MR. SWEENEY: If you get that
16 variance.

17 MR. VICTOR: Right.

18 THE CHAIRMAN: Looking at the site
19 plan, I mean there is no -- if you have
20 restaurants, dining, you are going to need
21 dumpsters. That's not on here. So you are
22 probably going to lose more spaces than gain
23 spaces potentially.

24 MS. GARCAR: Correct.
25 Heather, can you clarify a slight

1 confusion on my end. His property right now
2 can have a restaurant or a shop or something
3 along those lines if the ending in 27 variance
4 is denied?

5 MS. FREEMAN: No, ma'am. So in
6 order to do anything commercial in the PUD,
7 the property owner has to get a conditional
8 use permit. So if he's not successful with
9 this plan, he would have to come up with --

10 MS. GARCAR: With a different plan
11 completely. What is he allowed to build
12 without getting conditional use?

13 MS. FREEMAN: Residential is
14 permitted, which I don't think is the plan.

15 MR. VICTOR: The overall plan
16 that was approved in 19 -- what was it, '82,
17 had this marked for commercial.

18 MS. FREEMAN: I would agree that I
19 believe the township expected at some point it
20 would be some kind of commercial based on its
21 location on Crile Road.

22 MS. GARCAR: Just a B, zoned as a
23 B and that was prior to 44 being a highway.

24 MS. FREEMAN: When the PUD was
25 approved by the trustees in 1986, there was an

1 MR. VICTOR: No.

2 MS. GARCAR: Who owns the land
3 bank parking spaces?

4 MR. VICTOR: We do.

5 MS. GARCAR: Okay. Oh, I see.

6 THE CHAIRMAN: I don't know, I mean,
7 Mr. Victor, did you look at, I'm sure you did,
8 I want to make sure, the conditional use
9 permit requirements in 13.05, are you familiar
10 with those in the zoning code?

11 MR. VICTOR: Some of them. I
12 don't have it with me.

13 THE CHAIRMAN: I mean, I don't know.
14 There is a few of them I get a little hung up
15 on. One is maybe that will not be hazardous
16 and disturbing to the existing and future use,
17 enjoyment of the property in the immediate
18 vicinity of the uses permitted or
19 substantially diminish the compared property
20 values within the neighborhood. That's one of
21 them that I get hung up on. We have this
22 residential development, you know, off of
23 Hunting Lake Drive. A lot of people that live
24 there. Then we're introducing this commercial
25 development that really has one main entrance

1 overall plan. I have seen versions of that
2 plan that indicated that the thought was that
3 this area would be some kind of commercial.
4 No conditional use permit was ever granted
5 that we're aware of. Which is why he's here
6 tonight.

7 MR. VICTOR: Because they didn't
8 draw out the whole plan. They would have to
9 draw the whole plan out like what we're doing
10 here. You don't know what you can do there
11 until it's approved.

12 THE CHAIRMAN: But this isn't even
13 your plan. Now you are saying there is no
14 drive-thru, there is no locations for
15 dumpsters.

16 MR. VICTOR: I asked if we should
17 take the drive-thru out. I could have had a
18 plan here with it out of there. We were told
19 we didn't have to do that.

20 THE CHAIRMAN: Is the land bank
21 parking in your final total parking numbers?

22 MR. VICTOR: Pardon?

23 THE CHAIRMAN: The land bank parking
24 as shown, is that part of that total of 59
25 spaces?

1 off of Hunting Lake Drive. Someone's
2 definition of hazardous or disturbing can vary
3 to me. It feels like it might be. Did you
4 think about that, or do you have
5 considerations or did you --

6 MR. VICTOR: That's the whole --
7 it was always zoned, meant for commercial.
8 That's what it was bought for, that's what it
9 was approved for in 1986.

10 MS. GARCAR: Did you buy that
11 property in 1986?

12 MR. VICTOR: We bought it in 2004.

13 MS. GARCAR: When you bought it in
14 2004 was it for commercial usage, or was it
15 residential usage?

16 MR. VICTOR: Commercial.

17 MS. GARCAR: You, Victor
18 Construction, changed all of it to
19 residential?

20 (Audience talking)

21 THE CHAIRMAN: Please.

22 MR. VICTOR: The back part was
23 always residential. It was for multi-family.
24 We changed it to single -- it's multi-family,
25 but it's detached units. Where it had

1 attached product back there before.

2 MS. GARCAR: When did this piece
3 of property changed to residential?

4 MR. VICTOR: This piece that
5 we're using wasn't.

6 MS. GARCAR: You're asking to use.

7 MR. VICTOR: It was always speced
8 for commercial on the original plan back in
9 1986.

10 MS. FREEMAN: Ms. Garcar, maybe I
11 can help clarify that.

12 MS. GARCAR: Please.

13 MS. FREEMAN: The property was
14 zoned planned unit development in 1986. The
15 zoning designation has not changed since then.
16 The land was vacant, not being used for
17 anything up until now that he's proposing to
18 do something with it.

19 MR. VICTOR: It's just like down
20 where Lucky's is, that was all part of the
21 PUD. All the bank buildings and everything.
22 That was part of the PUD.

23 THE CHAIRMAN: Yeah.

24 MR. VICTOR: It's the same
25 situation. You drive in there to get to the

1 pieces on this one piece of property that
2 we're very unsure of. It seems like you are a
3 little unsure as well given you don't know who
4 will or won't be in there.

5 MR. VICTOR: Well, at that time we
6 can --

7 MS. GARCAR: Right now you are
8 unsure who will be in there.

9 MR. VICTOR: I know we will be in
10 there. The other pieces, they would have to
11 come get their permit here, wouldn't they, to
12 be able to go in there? You would have to
13 tell me that.

14 MS. FREEMAN: Yes.

15 MS. GARCAR: If we approve
16 everything the way he has it here, I don't
17 know, I'm going use Starbucks because we have
18 it down the street already. Would a Starbucks
19 be allowed to go in there and a drive-thru
20 without coming back to us?

21 MS. FREEMAN: No, ma'am.

22 MS. GARCAR: Okay. They still
23 have to come back to us, no matter what the --

24 THE CHAIRMAN: No, I don't think.
25 I don't know because if we approve it and the

1 development, just like on this situation.

2 THE CHAIRMAN: Yeah.

3 MS. GARCAR: Heather,
4 clarification then. If he's saying this zoned
5 commercial and it has been since 1986.

6 MS. FREEMAN: It is not zoned
7 commercial. It is not. It is zoned planned
8 unit development. In the planned unit
9 development there are a list of permitted and
10 conditionally permitted uses that you are
11 allowed to do.

12 MS. GARCAR: Okay.

13 THE CHAIRMAN: One of them not
14 permitted is a restaurant with a drive-thru
15 service, which is not permitted.

16 MR. VICTOR: That's why we were
17 taking the drive-thru out.

18 MS. GARCAR: Then the warehouse is
19 not permitted under the PUD.

20 THE CHAIRMAN: Correct. Certain
21 retail is not permitted. That's where part of
22 the struggle too is. The zoning, the PUD is
23 fine, some of the uses could work here but how
24 it all comes together.

25 MS. GARCAR: There is a lot of

1 drive-thru is prohibited, even if we give him
2 a conditional use permit, it's not prohibited.
3 They would have to come back for a variance
4 for a drive-thru. But again, that's -- I
5 don't know. That's maybe discussion for us up
6 here.

7 MR. VICTOR: I would think you
8 would have to come back for a variance for the
9 drive-thru at the time, if they would want to
10 go in there. We're not building any building
11 out there anyway until someone would want it.
12 Then at that time we would have to come in
13 here to make sure it's permitted, whatever
14 they want to go in there.

15 THE CHAIRMAN: My struggle right now
16 I guess, and I'll let Skip talk for a little
17 bit too, and Ashley if she's done, but when I
18 look at 13.05, there's an A through L. There
19 is a few of those conditionals, a portion of
20 that conditional use permit, like I mentioned
21 the one hazardous or disturbing to existing
22 and future use property and enjoyment of the
23 property in the immediate vicinity for the
24 uses permitted, or substantially diminish or
25 impair property values, I just wonder if what

1 we have on the table doesn't meet that.

2 MR. VICTOR: This isn't even near
3 the residential. You've got the whole water
4 tower between there, plus the pond.

5 THE CHAIRMAN: Yeah, I guess --

6 MR. VICTOR: I mean you built
7 commercial all the way down that line with
8 residential behind it everywhere.

9 MS. GARCAR: I'm not sure the
10 biggest part is the commercial. It's the
11 warehouse.

12 MR. VICTOR: At some point
13 commercial butts up to residential.

14 THE CHAIRMAN: Yeah, at some point.

15 MS. GARCAR: It's not the
16 commercial use. It's the warehouse I think
17 that -- there are some commercial uses he
18 doesn't don't need to come to us for, because
19 that is what it is zoned for.

20 MR. VICTOR: In this instance we
21 have the whole water tower between -- we're
22 butting up to the water tower is what we're
23 butting up to.

24 THE CHAIRMAN: But everybody that's
25 getting to your site is coming through that

1 MS. GARCAR: Your construction
2 business is not operating out of a warehouse
3 right now?

4 MR. VICTOR: No.

5 MS. GARCAR: Is there need for
6 growth of your company to be operating out of
7 a warehouse, versus having simply just an
8 office building, what you are using now?

9 MR. VICTOR: Is there a need to
10 have a warehouse? We would like a garage.

11 MS. GARCAR: For personal use for
12 cars?

13 MR. VICTOR: Right.

14 MS. GARCAR: Rather than personal
15 use for the cars aspect, is there a need for
16 your company to be operating out of a
17 warehouse versus a normal office building?

18 MR. VICTOR: We would need a
19 little bit of storage space for like a window
20 or a door that we have, or leftover trim.

21 MS. GARCAR: Are you storing that
22 currently at your current office space?

23 MR. VICTOR: Yes.

24 MS. GARCAR: In a warehouse or in
25 an office space?

1 residential street, right? The main access is
2 off of Hunting Lake Drive. So it is going to
3 impact the residential properties.

4 MR. VICTOR: Just like down at
5 the other end, where the grocery store is and
6 everything.

7 MS. GARCAR: I have another
8 question regarding this warehouse and Heather
9 maybe you can chime in too a little. Just
10 straight office space, is that currently
11 permitted with the PUD without a variance?
12 Not a warehouse, just straight office space,
13 is that currently allowed?

14 MS. FREEMAN: Yes, however he
15 would still first need to come get a
16 conditional use permit to do anything
17 commercial. If he doesn't have that, he can't
18 build a building, get any tenants.

19 MS. GARCAR: Your current office
20 space, is it a warehouse, or where you were
21 operating out of, is it a warehouse or is it
22 just a typical office?

23 MR. VICTOR: Well, we have
24 warehouse attached to it, but it's all rented
25 out to other people.

1 MR. VICTOR: In a garage. A
2 one-bay garage down below our office.

3 MS. GARCAR: Size of the garage,
4 is it like a one-car garage?

5 MR. VICTOR: It's a one-car
6 garage.

7 THE CHAIRMAN: Skip, do you have any
8 questions?

9 MR. SWEENEY: I mean I don't even
10 know where to start. I think we have a
11 procedural issue that we need to overcome
12 first. That is, there is a bleeding between
13 the commercial use and the variance
14 applications. It's confusing the heck out of
15 me. I don't know about y'all.

16 I mean as presented, the first order of
17 business is the conditional use permit
18 application we're to vote on. It cannot --
19 it's completely intertwined with all the
20 variance applications. I don't know how that
21 can proceed. Because if you want us to
22 consider the conditional use application, well
23 then you've got to have all these parking
24 spots, but that takes the variance. The
25 parking spots, if we grant parking spots, we

1 have to grant the reduction in the side lot
2 requirements. I don't know how we can vote on
3 this as it's presented. Does that make sense?

4 MS. GARCAR: Yes, it does.

5 MR. SWEENEY: Then I have questions
6 about the building itself, and I don't know if
7 the code section says the words warehouse in
8 it.

9 MS. MATHENEY: For permitted uses or
10 prohibited?

11 MR. SWEENEY: Either.

12 MS. MATHENEY: Under permitted uses
13 it says professional offices. I do not see
14 any explanation of warehouse being permitted.
15 So, therefore, it is prohibited.

16 MR. SWEENEY: Gotcha. I think my
17 concern, Mr. Victor, is that, and maybe
18 everyone else, is that as it relates to this
19 warehouse word. You want a garage. I
20 understand you want a garage.

21 MR. VICTOR: We can take that
22 out and put garage there then.

23 MR. SWEENEY: Right, I get that. I
24 don't think that the writers of this wanted
25 warehousing things going on, meaning large

1 MR. SWEENEY: I have serious
2 concerns with this exit. Like serious. I
3 went out there today and I parked my car right
4 near where this proposed exit would be, and
5 just sat there. I just looked around. There
6 wasn't a whole lot of traffic. But that is
7 really very close to residential. What's to
8 keep anybody from hanging a left out of there
9 and cutting through. Is it going to happen a
10 lot? Probably not, because people don't want
11 to go through that.

12 MR. VICTOR: That's a big weave.

13 MR. SWEENEY: It's a huge weave.
14 It kind of takes care of itself so to speak.
15 But I have a problem with that exit. Again,
16 I'm getting ahead of myself. I guess Heather
17 and Bridey I need your guidance.

18 THE CHAIRMAN: Can I say that we do
19 have to separate them, because they are two
20 different things. The conditional use permit,
21 and legal counsel can correct me, is allowing
22 conditional use on this building based on I
23 think we have to take into consideration the
24 site plan, okay.

25 MR. SWEENEY: Sure.

1 trucks coming in.

2 MR. VICTOR: We are the ones
3 that wrote that.

4 MR. SWEENEY: Right. Well you
5 wrote it, so I have got to address it. If you
6 left it out, I wouldn't need to ask you about
7 it. That's the concern here. I don't know
8 how to vote on this.

9 MR. VICTOR: In our eyes, we
10 don't know -- we've got to come in and try to
11 get approval for something. We can't design a
12 building until we know what we can do.

13 MR. SWEENEY: I get that. I think
14 that's the next step. I think what you need
15 to do now, or any applicant needs to do is to
16 get approval for some use. You've got a very
17 narrow use here. And I have no problem with
18 you using your property any way you want.

19 MR. VICTOR: It does say
20 restaurants and retail.

21 MR. SWEENEY: You can have a
22 restaurant. I think we're putting the cart
23 before the horse.

24 MR. VICTOR: Right. We don't
25 have a restaurant.

1 THE CHAIRMAN: What potentially --

2 MR. VICTOR: We want to table it
3 and then I can get you a new site plan for the
4 next meeting.

5 THE CHAIRMAN: We also have to
6 consider the potential uses that he's putting
7 in there. I would feel more comfortable if he
8 knew I have it's going to be our office space
9 and one restaurant and one, you know,
10 additional office building. I would feel
11 better about approving a conditional use
12 permit if we knew a little bit more detail of
13 what it's going to be.

14 MR. SWEENEY: I agree.

15 THE CHAIRMAN: I'm also very
16 uncomfortable with the traffic patterns. Not
17 just that Hunting Lake Drive, on Crile Road.
18 Again, I live this way, I drive that area,
19 going around that bend, you are going to have
20 an exit in and out of there. That is why I
21 asked the question about if a traffic study
22 was done. I wouldn't be even comfortable
23 taking a right out there. I don't know if
24 that's the right spot for it. I don't know
25 what the right solution is. That's not our

1 problem. I'm not 100 percent convinced we
2 should even approve a conditional use permit.
3 I feel like I can separate that from the
4 variances because if we do approve it, we can
5 look at the variances separately and they are
6 going to impact his final site plan if we
7 approve them or don't approve them.

8 MR. SWEENEY: I can separate it
9 too. That is not the issue. The issue is
10 what he's got in front of us, I don't want
11 that being set in stone because when we go
12 ahead and approve this thing, if we approve
13 it, he's going to say -- I don't know if you
14 are going to make the garage larger, or maybe
15 even a warehouse out of it. Then that's not
16 you. That is your tenant. That is someone
17 coming in at a later date asking if they want
18 to put something else in there.

19 MR. VICTOR: Don't they have to
20 get a permit from you guys to be able to be in
21 there?

22 MS. FREEMAN: Yes, a zoning permit
23 is required.

24 MR. VICTOR: Yeah, a zoning
25 permit.

1 MR. SWEENEY: As presented if you
2 make a representation that you are taking out
3 any drive-thru, it makes life easier. I don't
4 think that you are going to warehousing
5 honestly, to be honest.

6 MR. VICTOR: No, we're not.

7 MR. SWEENEY: I just don't. It's
8 not the nature of your business. Not there at
9 least. I'm with you, Ivan. I could look past
10 it. We can take a vote on it.

11 THE CHAIRMAN: Or we can ask for an
12 updated site plan, which might change our
13 opinion, might not change our opinion. Again,
14 just because it is the PUD zoned it as
15 commercial doesn't mean this is the right
16 place to do a commercial development. That is
17 why we have to give it a conditional use
18 permit approval. Maybe there is -- it feels
19 like, again maybe this should be more
20 discussion for the Board, it feels like there
21 is too much going on at one small site.

22 MS. GARCAR: It's seems like
23 there is too much that's weighing on the
24 variance ask of 142. I think for me the
25 largest items are not fully knowing what is

1 going to be in phase 2, but it also looks like
2 everything is planned. What you are giving us
3 in the one ending in 27 has 53 or 59. I've
4 not counted directly all of the parking spots.
5 You're asking us to approve that, when not
6 necessarily a variance would be approved of
7 142. So seeing what it would look like
8 without the variances, as well as approving it
9 as code is, then having a variance, I don't
10 see how that could.

11 THE CHAIRMAN: Mr. Victor, do we
12 have -- like is this what you need for
13 commercial space wise? The amount of square
14 footage that you need to make this property
15 viable for you? When you say relook at this,
16 would you do less commercial building or less
17 parking?

18 Like the land bank parking, I think
19 you're going to end up needing it. If this
20 were approved, I think you're going to need
21 it. I'll tell you right now looking, I don't
22 like it, I don't think that's safe that
23 parking. A lot of people that are going to be
24 going out that way, backing into a pretty busy
25 -- it's a driveway, not a drive aisle. Is

1 that something that you would maybe consider
2 as doing less development here, or is this
3 kind of like where you need it to be to make
4 sense?

5 MR. VICTOR: The building was going
6 to be a little bit smaller than what we're
7 showing there because it's not going to be
8 completely square. It's going to be in and
9 out, with some design. So, but we don't know
10 what we can do, like I told you. We've got to
11 be able to know what we can do before we spend
12 thousands of dollars on architectural
13 drawings.

14 MR. SWEENEY: I don't think
15 tenants -- you could for sure put a restaurant
16 in there.

17 MR. VICTOR: The part that is not
18 going to be used, is just going to be a shell.
19 So there could be one more tenant come in
20 there to take the rest of it possibly. Or
21 there could be two or three. Just depends,
22 you know, what square footage people need.

23 MR. SWEENEY: Because these are so
24 intertwined, the variances and the conditional
25 use, is it possible that you can maybe kind of

reenvision this?

MR. VICTOR: For?

MR. SWEENEY: Make it easier that it's not going to be so confusing, and complicated.

MR. VICTOR: Take out the variance request for the drive-thru and we can give you a new site plan so maybe that with help some.

MR. SWEENEY: What about the ingresses and the egresses. I'm with Ivan. Both of those -- I know a corner lot on a curve, that is hard. I get it.

MR. VICTOR: There is no other way.

MR. SWEENEY: That's not true.

MS. GARCAR: I feel there is a lot getting pushed into a very small piece of property and even talking to you right now, the concerns we bring up, very quickly you are willing to say well this isn't right, it should be actually an L shape, we will get rid of the drive-thru. I don't feel comfortable in the sense of knowing what we're actually approving. It seems like what you want is not set in stone for the property.

drive-thru, if someone wants a drive-thru, they can try and come back to you guys later because we're not building that building until someone wants to use it. If they want to come back, try and get approval later for it, they can try and do that, whoever the tenant would be.

MS. GARCAR: The entrance on Hunting Lake Drive, that is part of phase 1, correct? It looks like you have phase 1 which is your warehouse.

MR. VICTOR: Right.

MS. GARCAR: And that entrance on Hunting Lake is part of phase 1?

MR. VICTOR: Right.

MS. GARCAR: Is that required to have that entrance, or is that where you want the entrance?

MR. VICTOR: That's where when we met with you guys, you suggested to put it. You have to have, going to have to have an entrance somewhere on that street.

MS. GARCAR: On Hunting Lake.

MR. VICTOR: It was always meant to have that entrance on that street. That's

MR. SWEENEY: He needs to know what he can do in order to market it to tenants.

MR. VICTOR: We need the plans for approval. Where do we go from that.

MS. GARCAR: Right, but a plan that wouldn't include extra variances of less parking spots. Would it include a drive-thru. There so many extra variances and things included in this plan for what this plan shows of envisioning, there are so many pieces parts and variances it almost looks like too much for this small property.

MR. VICTOR: One is our garage. One is the drive-thru that we're taking out. So two of them are -- can come back in and show you the blueprint that we want to do, see if it gets approved with a garage later, so you can take out too, if you wanted to.

MS. GARCAR: So I go right back to you're taking a lot out, that is not what is in front of us. So I struggle approving what is in front of us when you are already just verbally --

MR. VICTOR: Because it sounds like you don't want it, so. But the

the fartherst back that we can put it.

MS. FREEMAN: Ms. Garcar, if you don't mind I add to that, please. We did meet with Mr. Victor informally to discuss a version of this plan and originally the entrance on Hunting Lake was closer to Crile. Our comment was to try to move that back away from Crile, to prevent any kind of traffic backup onto Crile. That is what he is referring to as far as us asking to move it.

MS. GARCAR: An entrance on Hunting Lake is needed?

MS. FREEMAN: I don't know if it's needed or not.

MR. GARCAR: Has there been any studies?

MS. FREEMAN: There was no study done that I've know that Mr. Victor shared with us.

MS. GARCAR: Of whether that is needed or not.

MR. VICTOR: Well, you can't put two on Crile.

MS. GARCAR: Why do you need two entrances?

1 MR. VICTOR: Lake County is not
2 going to allow us to have one entrance for
3 this site on Crile Road.

4 MS. GARCAR: Do we have that from
5 Lake County Development Planning? Do we have
6 any --

7 MR. VICTOR: No, but I know that
8 they won't allow that. They are not going to
9 allow that. I guarantee it.

10 THE CHAIRMAN: Okay, Skip, do you
11 have anymore questions?

12 MR. SWEENEY: I just think there's
13 -- I don't think that we can address these as
14 presented. I just don't. I mean if you want
15 us to go ahead and vote on it, I'm happy to do
16 that. I just -- there is too many questions.
17 There is too many confusing pieces and parts
18 here. None of them seem to make any sense.
19 Quite frankly, Mr. Victor, it doesn't seem
20 with all due respect, it doesn't seem like
21 this was thought out very well. I think maybe
22 you need to table this. I think you need to
23 go back and you need to present something that
24 does not present us with so many questions and
25 concerns. That's just a suggestion. If you

1 MR. SWEENEY: Then tabling it
2 probably isn't going to do much.

3 MR. VICTOR: What about the
4 drive-thru?

5 MR. SWEENEY: This is where the
6 procedural areas, this is where it gets --
7 you're talking about a drive-thru. That's
8 fine. But I'm talking about variances that
9 need to be considered in conjunction with
10 considering that application for conditional
11 use. I don't think that's appropriate, or
12 possible.

13 THE CHAIRMAN: I guess either we can
14 continue tonight, continue with the process
15 tonight, have the rest of the folks come up,
16 give them a chance to speak, or we can table
17 this, you know, come back with whatever you
18 are going to come back. We still -- whatever
19 it is, we have to consider it and, you know,
20 again have you present it, consider it, let
21 the public speak, provide their comments, then
22 make our determination. We can't -- what
23 we're saying is if you want to make
24 modifications, great. You do know the
25 drive-thru is prohibited.

1 want me to go ahead and vote on it tonight,
2 I'm happy to do that.

3 MR. VICTOR: We will table it
4 and get a new site plan that is a little
5 cleaner, take off a couple of the variances.

6 MS. GARCAR: Am I allowed to ask
7 for things for the new site plan?

8 MR. SWEENEY: I'm not a zoning
9 expert and I'm not a commercial real estate
10 person. But as I see the code in front of me,
11 as I see your application, believe me I'm not
12 criticizing you. I'm just -- I think that --

13 MR. VICTOR: We changed this
14 four times.

15 MR. SWEENEY: I get it. I think
16 that maybe you need to pare back your zoning
17 request for conditional use to the things that
18 you really want. But to me, it doesn't seem
19 like you know what you want. There is the
20 problem.

21 MR. VICTOR: We know what we
22 want.

23 MR. SWEENEY: Okay. And this is
24 it?

25 MR. VICTOR: Yes.

1 MR. VICTOR: We'll make
2 modifications. Table it and make the
3 modifications and come back.

4 MR. SWEENEY: As presented, you're
5 presenting something that's prohibited. Not
6 one but two things. Your own words warehouse
7 was used and a drive-thru. I think that would
8 help a lot.

9 MS. GARCAR: Tabling with new site
10 plans I'm allowed to make comments and
11 requests or suggestions?

12 MS. MATHENEY: Of course.

13 MS. GARCAR: With the new site
14 plan if you're just doing something simple
15 like this, I think for at least me personally
16 it's significantly easier to look at and
17 approve or deny if there is a plan that has
18 the correct amount of parking. If you're
19 asking for the two entrances off Hunting Lake
20 and Crile Road, having a report done by the
21 County that's stating you have to have it,
22 other than just your good faith of I know this
23 is what they are going to do. Having a little
24 more concrete evidence of Lake County is going
25 to say we need both entrances, and a plan that

1 doesn't have all these variances. Once you
2 get your plan approved, that states what you
3 can, then you can go back, a lot easier to do
4 the variances of 25 feet or all those extra
5 things.

6 MR. VICTOR: They don't want both
7 entrances right next to another road coming
8 out. I know that for a fact.

9 MS. GARCAR: Can you get that in
10 writing?

11 MR. VICTOR: Yeah, I could.

12 MS. GARCAR: Those are the kinds
13 of things, having why, helping your case of
14 why you need to two entrances.

15 MR. VICTOR: Okay.

16 MS. GARCAR: Versus I understand
17 not wanting to spend a lot of money prior to
18 not knowing what we would approve or deny of,
19 so I understand maybe not wanting to do a road
20 study, but at least something stating that
21 they wouldn't appreciate that, the County.

22 MR. VICTOR: Sure. Now that
23 we've got how many spots we need, we will come
24 in with that.

25 MS. GARCAR: With the 80 spots

1 MR. VICTOR: Instead of having
2 the land bank. She was confused about that.

3 MS. FREEMAN: Okay.

4 THE CHAIRMAN: We gave you some
5 input. I would say look at 13.05. I don't
6 think the plan here and I don't know all of
7 our comments address, you know, some of the
8 issues that would, reasons we have to provide,
9 to approve a conditional use permit. It
10 doesn't meet it.

11 MR. VICTOR: Going back to the
12 original approval in 1986, this was approved.
13 It was always meant on that plan, it said
14 commercial in this section. That's why the
15 water tower was put on the commercial piece.

16 MS. GARCAR: I don't think there
17 is an issue with it being commercial or not.
18 It's just the amount of extra variances that
19 are grouped together. Where if we could see a
20 commercial plan that is not requesting all
21 these extra variances. That way you know yes,
22 I can build commercial, okay, now what
23 variances do I need to build a correct
24 building. I just feel this plan has way too
25 many variances needed in a very small space

1 with a lot of stuff.

2 THE CHAIRMAN: Any other comments
3 or questions?

4 MR. VICTOR: No.

5 THE CHAIRMAN: I think procedurally
6 we ask Mr. Victor to request us to table this,
7 we vote on it, correct?

8 MR. MATHENEY: Correct.

9 THE CHAIRMAN: We don't have to
10 move forward with the public meeting this
11 evening, correct?

12 MS. MATHENEY: It's totally your
13 call. Some of the comments actually might be
14 helpful to Mr. Victor in the sense of revising
15 the plan. At the same time it's definitely
16 the Board's call.

17 MS. GARCAR: What's the difference
18 between knowing he's saying right now he will
19 do a different site plan, potentially table
20 it, what would be the difference between
21 voting on it now, potentially denying it, him
22 starting completely from scratch versus
23 tabling? What is the difference for his side
24 of it? A table versus starting from scratch?

25 MS. MATHENEY: It could be res

1 judicata if it comes back with something at
2 all similar. He would just be better to table
3 it, not rule on it. That way he has the
4 chance to amend.

5 MS. GARCAR: Okay.

6 MS. FREEMAN: Mr. Chairman, I agree
7 with counsel about letting the public speak to
8 help Mr. Victor. Then if he decides he wants
9 to address those comments tonight and/or still
10 want to table after hearing everything, it
11 would be his discretion.

12 THE CHAIRMAN: I think it's a great
13 point. If you could be seated, Mr. Victor.

14 So I want to just note for the record
15 that the Township did receive 13 emails from
16 various residents, all of which were against
17 the conditional use permit and the variances.
18 So I want everyone to know that we did receive
19 those. Those have all been shared with all
20 the members of the Board, even the members
21 that are not here this evening.

22 So, with that being said, I'm going to
23 start with this side of the room. Maybe if we
24 start with the people up front, work our way
25 towards the back. Ask you to come up to the

<p style="text-align: right;">Page 50</p> <p>1 microphone. Again state your name, address, 2 confirm you've been sworn in. Hopefully you 3 have been. Then provide us your comment. 4 Then we might have questions for you. We may 5 not. Then be seated, let the next person 6 comment. Anybody in the first row like to 7 come up? 8 MR. FORSYTH: Tom Forsyth, 7891 9 Hunting Lake Drive. I have a few comments. 10 THE CHAIRMAN: You've been sworn in, 11 sir? 12 MR. FORSYTH Yes, I have been 13 sworn in. 14 I have two comments I'll make in a 15 minute. One of the things that might help 16 Mr. Victor, if you look at the strict 17 definition of a warehouse, if that were to be 18 conditionally approved, the definition of a 19 warehouse says you're going to stock/store 20 goods for distribution to some other point. 21 So I think what he's looking for is a garage 22 which would add additional parking spaces 23 rather than a warehouse. But I don't think 24 saying okay, we're going to give conditional 25 use for a warehouse, but it's going to be a</p>	<p style="text-align: right;">Page 52</p> <p>1 At that point in time Crile could have 2 been a complete commercial zone, where you are 3 talking about a significant buffer of 4 woodlands and golf course separating homes. 5 Yes, we might be down the street. But it's 6 not that far. I would hate like heck to see 7 Concord Township turn into, and Crile, a 8 Mentor Avenue, where businesses are 9 encroaching right on residences and the 10 traffic on side streets is so intrusive that 11 we don't want to live here anymore. 12 I moved here two years ago, a little 13 bit more than two years ago, because I like 14 the bucolic nature of Concord Township. It 15 was a dream of mine. I grew up in Lake 16 County, eastern part of Lake County. To be in 17 Concord Township, I'm not going to say it was 18 a dream of mine but to finally do it was an 19 accomplishment for me in my life. I don't 20 want to see it change in a derogatory manner 21 to the point where commercialization is taking 22 precedence over what Concord Township has and 23 has always been in Lake County, a beautiful 24 bucolic community. I'm sure the folks here 25 share my beliefs in that.</p>
<p style="text-align: right;">Page 51</p> <p>1 garage, then in two months all of a sudden we 2 find out there are semi tractor-trailers 3 coming in and out of the property storing 4 goods for future distribution. It's just a 5 point to be made. 6 I know that you received various emails 7 about the hours of operation, intrusive 8 lighting, increased traffic, lack of 9 pedestrian safety, accommodations of that. 10 The truck traffic and loading dock, that would 11 be the restaurant type of situation, where 12 I've seen USA Foods semi tractor-trailer next 13 to the Waffle House. I can imagine that 14 sitting on Hunting Lake Drive, unloading goods 15 into that restaurant. That's a little bit too 16 much for me, and I'm sure the other residents. 17 Congestion of that intersection. We 18 already have certain development coming in, 19 would even make it more congested. 20 One of the things that -- I understand 21 that things change in time but one of the 22 things Mr. Victor pointed out was that was 23 originally zoned in 1986 as commercial. 24 However, Quail Hollow as a community didn't 25 come that far in 1986.</p>	<p style="text-align: right;">Page 53</p> <p>1 THE CHAIRMAN: Thank you. Anyone 2 else from the first row? 3 MS. KINCAID: That certainly 4 shortened my presentation. Here is a list of 5 86 signatures from people in Hygrove and the 6 immediate Quail 10 who are against the 7 variances. 8 I'm sorry, Karen Kincaid, 7894 Hunting 9 Lake Drive and I've been sworn in. 10 You know with the entrance on Hunting 11 Lake it's everyone's concern about the 12 traffic. It's turned into pretty much a 13 senior citizen street there. Got a lot of 14 seniors walking, walking our dogs, walking our 15 grandchildren. There is no sidewalks. Bikers 16 are coming through there all the time to get 17 over to the Highland Trail. We've got a lot 18 of people living their lives in there. To 19 have all this commercial stuff coming in, 20 trucks, commercial trucks, contracting trucks 21 and everything, it's really, it is a hazard to 22 us over there. 23 I'm going to disagree with the Lake 24 County rule that you have to two entrances 25 because I drove around the immediate community</p>

1 this afternoon and there are all kinds of
 2 businesses that have one entrance. B&B
 3 Bradley right on Crile has one entrance.
 4 Panini has one entrance. The MedSpa has one
 5 entrance and they have all kinds of businesses
 6 back there. McDonald's has one entrance. Not
 7 Speedway -- Sheetz, Sheetz has one entrance.
 8 So I find it hard to -- yes, it's off the
 9 street but they only have one entrance going
 10 through that little street they put in there.
 11 There is only one entrance there. So, I find
 12 it hard to believe that for this little
 13 development we would have to have two
 14 entrances.

15 One of the original plans that I saw
 16 was that they would take the access road and
 17 pave that, and that would be an entrance. So
 18 why can't that access road be the entrance and
 19 not Hunting Lake? Where I see it comes out,
 20 where the creamery is going to be, if they
 21 kind of just bend it a little bit, it would be
 22 more like a four-way intersection there.

23 So, I'm kind of thinking we have
 24 four-way intersections all over the world.
 25 They don't seem to be a hazard. Why do we

1 have to have an entrance on Hunting Lake?

2 One of my other concerns is, and we've
 3 all had this problem since we moved into Quail
 4 10 is the water. I saw in there too that
 5 there was going to be a retention pond. Big
 6 questions about this retention pond and where
 7 it was going to flow and how it was going to
 8 affect the retention pond at Quail 10. Who's
 9 responsible for dredging Quail 10 when it has
 10 to be dredged? I know somebody is responsible
 11 for the inlet on this end. Somebody is
 12 responsible for the inlet on this side. We
 13 are responsible for the water quality. We
 14 don't yet know when in 20, 30 years when this
 15 thing needs to be dredged, who's responsible
 16 for that. So now we're going to have all of
 17 Ivy Ridge, they've got two retention ponds
 18 going into the storm sewer. Now we're going
 19 to have this one going into the storm sewer.
 20 The storm sewers are big, I saw them putting
 21 them in, but are they going to be big enough when
 22 we have a really big storm, is our pond going
 23 to fill up, is all this water going to go into
 24 our pond. What's it going to do to the life
 25 of our pond.

1 THE CHAIRMAN: That will happen with
 2 the engineering as it goes forward in future
 3 phases. The county will have to approve
 4 anything that they do for storm water.

5 MS. FORSYTH: As far as the
 6 water, I saw in there something about drawing
 7 water from Hunting Lake or from Crile. Our
 8 water pressure is horrendous in Hunting Lake.
 9 Please, please don't draw any water from
 10 Hunting Lake. We can't water our lawns as it
 11 is. Some people have a hard time taking
 12 showers, so please, don't affect our water on
 13 Hunting Lake.

14 They talked about the noise levels. I
 15 live like right on the golf course, right
 16 where the wetlands are. At nighttime, when it
 17 is really quiet, I already can hear the
 18 traffic on 44. I can hear the music in the
 19 summertime up at Red Hawk. So you start
 20 taking down all these trees and these natural
 21 barriers, what's it going to do to our noise
 22 level.

23 The dumpsters. The dumpsters are a
 24 big question. The dumpsters are a big
 25 question for me because where the other

1 restaurants are, they are not right up against
 2 residences. So the dumpsters there is kind of
 3 a barrier there for the rodents, the dumpsters
 4 not coming right onto, looking onto our
 5 properties.

6 I'm wondering if we create these
 7 variances now, what is going to happen down
 8 the road. I'll tell you if these variances
 9 get approved now, when he wants to develop
 10 this outside, we're all going to be right back
 11 here again with the same issues and the
 12 questions.

13 I've got item G, I, J, K, we have
 14 problems with all of those things. To my
 15 knowledge, when I look at the zoning maps,
 16 it's zoned R2. It's not zoned commercial. So
 17 that would be something to look at too.
 18 That's what I see.

19 I'm going to close mine with an old
 20 Joni Mitchell song from the '70s. You guys
 21 are probably all too young to know it. It
 22 goes at the end, don't it always seem to go,
 23 that you don't know what you've got until it's
 24 gone. They paved paradise and put up a
 25 parking lot.

<p style="text-align: right;">Page 58</p> <p>1 THE CHAIRMAN: Come on up.</p> <p>2 MS. BENCIC: Good evening. My</p> <p>3 name is Linda Bencic. I live at 7838 Hunting</p> <p>4 Lake Drive. I have been sworn in.</p> <p>5 This all seems to me to be a very</p> <p>6 simple issue. Follow the guidelines. Concord</p> <p>7 Township zoned the area at the corner of Crile</p> <p>8 and Hunting Lake as R2, as was just mentioned.</p> <p>9 This allows for many uses, including over 30</p> <p>10 different kinds of retail type things. It's</p> <p>11 in keeping with the future plans of the</p> <p>12 Township. I'm assuming since it was so long</p> <p>13 ago it was zoned that way, that when</p> <p>14 Mr. Victor bought that property, it was zoned</p> <p>15 that way. So he's aware of that.</p> <p>16 You are going to hear so many comments</p> <p>17 tonight that I'm not going to list all of them</p> <p>18 about the safety concerns and everything like</p> <p>19 that. But I do oppose this development as it</p> <p>20 is totally presented, and definitely against</p> <p>21 the drive-thru.</p> <p>22 I want to close with a quote from your</p> <p>23 website, which says, since any zoning is the</p> <p>24 restriction on the limited use of land by the</p> <p>25 owner, it must be reasonable and/or protect</p>	<p style="text-align: right;">Page 60</p> <p>1 us riding there, to get to Crile, to get to</p> <p>2 the trails, one way or another. It is</p> <p>3 dangerous right now, because there is a lot of</p> <p>4 curves and when two cars are coming, it seems</p> <p>5 like they are always there at the same time.</p> <p>6 So I think that is one consideration that</p> <p>7 should be. It would be hazardous to us. Or</p> <p>8 to anyone riding a cycle. There is a lot of</p> <p>9 cycling. There is a lot of walkers.</p> <p>10 Tonight when we were on our way here,</p> <p>11 there were walkers three abreast on Hunting</p> <p>12 Lake. They had reflective gear. There was</p> <p>13 also a dog walker with no lights. A lot of</p> <p>14 people walk.</p> <p>15 When we were going to move here my</p> <p>16 thought was, Hygrove Villa was a family.</p> <p>17 Hunting Lake is where all the dog walkers</p> <p>18 walk, or all the walkers walk, where the</p> <p>19 cyclers. It is a hazard. It is going to be a</p> <p>20 hazard to have that driveway in and out.</p> <p>21 That's basically what I have.</p> <p>22 THE CHAIRMAN: Thank you. Whose</p> <p>23 next over there?</p> <p>24 MR. BARON: I'm Dan Baron. I</p> <p>25 live at 7895 Hunting Lake and I have been</p>
<p style="text-align: right;">Page 59</p> <p>1 public health and safety. Right on your web</p> <p>2 page. Approving these changes would go</p> <p>3 against all of that, so I urge you not to.</p> <p>4 THE CHAIRMAN: Thank you. Anyone</p> <p>5 else in that row? Anyone else on that side,</p> <p>6 over there? Come on.</p> <p>7 MS. HORVATH: Nannette Horvath,</p> <p>8 11263 Hygrove. So I'm not directly on Hunting</p> <p>9 Lake but --</p> <p>10 THE CHAIRMAN: Have you been sworn</p> <p>11 in, ma'am?</p> <p>12 MS. HORVATH: Yes, I have.</p> <p>13 THE CHAIRMAN: Thank you.</p> <p>14 MS. HORVATH: The entrance and the</p> <p>15 exit on Hygrove, I mean on Hunting Lake, is</p> <p>16 what is affecting a lot of us. I belong to a</p> <p>17 bicycle group that has close to 400 members.</p> <p>18 We meet at Jordan Creek once a week. But we</p> <p>19 also ride from the Lake Metro Parks Greenway</p> <p>20 Trail to the Maple Highlands Trail via Quail</p> <p>21 Hollow, because the bicycle trail was never</p> <p>22 approved to go through and connect.</p> <p>23 So, on a Tuesday night for example,</p> <p>24 there could be as many as 40 riders in</p> <p>25 separate groups, and I know everybody has seen</p>	<p style="text-align: right;">Page 61</p> <p>1 sworn in. I want to thank the Committee. You</p> <p>2 raised most of the concerns that I had. I do</p> <p>3 think it comes down to Mr. Victor just trying</p> <p>4 to cram too much into that lot.</p> <p>5 My understanding is there 30 some</p> <p>6 businesses, commercial things, that could go</p> <p>7 in under the R2, without need for variances.</p> <p>8 He initially proposed two that are prohibited,</p> <p>9 the drive-thru and the warehouse.</p> <p>10 By removing the drive-thru, if he wants</p> <p>11 a restaurant there at some point, it seems to</p> <p>12 me that means more parking spaces needed, if</p> <p>13 it's not a drive-thru operation, which goes</p> <p>14 against his request to reduce the number of</p> <p>15 parking spaces.</p> <p>16 I also want to underscore my concerns</p> <p>17 and objection to the variance request he was</p> <p>18 going to make to eliminate the setback from</p> <p>19 Hunting Lake. Obviously that's an important</p> <p>20 one to us, that it be set back properly. And</p> <p>21 properly landscaped and screened. Going</p> <p>22 forward that's an issue I want to make sure is</p> <p>23 maintained. I understand he has perfect</p> <p>24 permission to have access or egress on to</p> <p>25 Hunting Lake. Of course none of us like that.</p>

1 To me, a possible solution is that currently
2 dirt access road back to the water tower.
3 That pushes access and egress a little bit
4 further away from the intersection of Hunting
5 Lake, a little safer. Or just directly onto
6 Crile. A professional building there that
7 faces Crile and is properly landscaped and
8 screened I think is the proper solution going
9 forward but he's just trying to put too much
10 into that plot.

11 THE CHAIRMAN: Thank you. Anybody
12 else over here that wants to come up? Come
13 up. Come on up.

14 MS. WILTSE: I would like to
15 thank you all for your knowledge and whatnot.
16 My name is Lisa Wiltse. I live at 7721
17 Woodstar Lane and I have been sworn in.

18 I am completely against any variance.
19 Any modification of the variance at all. I
20 would like it to stay R2. Thank you very
21 much.

22 THE CHAIRMAN: Is there anybody
23 else on that side that would like to speak for
24 or against? Come on up, sir.

25 MR. WILTSE: My name is Richard

1 bike club too. There is a lot of bicycles and
2 a lot of traffic on there. If we got more
3 semis coming through it's going to be a health
4 hazard. It's just not good. So, I'm not sure
5 what the purpose of variances really are. The
6 code is the code. It's meant to stop that
7 kind of stuff. Why have variances on it, I
8 don't know. I like progress. Let's make it
9 tasteful, okay. Thank you.

10 THE CHAIRMAN: Thank you, sir.
11 Anyone on this side of the room come
12 up.

13 MR. AVSEC: Brian Avsec, 7818
14 Hunting Lake Drive, and yes, I've been sworn
15 in.

16 THE CHAIRMAN: Thank you.

17 MR. AVSEC: Thank you for the
18 opportunity to speak. I appreciate it. A
19 couple things that you pointed, but I'll
20 reiterate. A lot of folks have said it.
21 Mr. Valentic mentioned the safety aspect. I
22 appreciate Mr. Sweeney for parking on that
23 street. I just want to reiterate that Hunting
24 Lake Drive is really an extension of the
25 Greenway Trail. My office sits out there. I

1 Wiltse and I have followed your civil
2 protocols of being sworn in.

3 THE CHAIRMAN: Thank you.

4 MR. WILTSE: Yeah, a couple years
5 ago we were in this place, or another place
6 similar to it, talking to our Trustees. There
7 was a big to-do about all the development that
8 was coming. They assured us that we want to
9 get ahead of this so we don't create another
10 Mentor Avenue, Vine Street type of stuff.
11 Rather they told us we would try to make it
12 look something akin to Chagrin Falls, or
13 something of higher taste if you will, as
14 opposed to warehouses and whatnot.

15 Now what we are seeing is we have a car
16 wash going in when we have a car wash right
17 down the road. Another coffee place where we
18 have a coffee place right down the road. Our
19 fear is that is what they're turning it into.
20 It's going to be another Vine Street. If
21 you've ever been on Vine Street, it's pretty
22 rough on the eyes.

23 We have a beautiful community here.
24 The trees and all. That is what attracted us.
25 I agree totally with Nan because I'm in her

1 watch people all day long. The crazy
2 bicyclers I love. I'm love going out there.
3 That is what I love about this. I want to
4 probably reiterate Hunting Lake Drive is
5 probably the most heavily pedestrian traffic
6 in the entire township. So when it comes to
7 safety, that is a really important part that I
8 want to make sure you guys remember when we go
9 through, making sure, trying to add a drive
10 there that is really going to impact that,
11 that really goes against part of what the
12 township is for the safety of the residents.
13 Thank you for the turn.

14 THE CHAIRMAN: Thank you.

15 MR. HALL: Dave Hall, 7806
16 Hunting Lake Drive. Yes, I've been sworn in.

17 So, what we have been discussing mostly
18 is safety. I appreciate all you guys going
19 through the variances and everything.

20 Mr. Victor, the best thing you could
21 possibly do is if you have problems, you bring
22 solutions with your problems to your boss.
23 You always do. So if you have problems with
24 the actual variances and everything, you need
25 to prove and show in detailed documents what

1 you want to build. How are these buildings
2 going to look. Are you going to just have
3 vinyl siding up on them, is it going to be a
4 beautiful brick. We need to know these things
5 so we are able to say hey, this is a beautiful
6 area. Don't get me wrong, I don't want to cut
7 down trees either. I don't want it on Hunting
8 Lake either.

9 One thing about Hunting Lake, we don't
10 have sidewalks. The golf course is a private
11 property. Signs all over the place that we're
12 not allowed to walk on the golf course. When
13 you see everybody riding their bikes and
14 walking, I have a nine month old. I'm the
15 youngest guy that owns a house in that
16 neighborhood. Zoned this in '86. I wasn't
17 born when you zoned this. We want to have
18 sidewalks in there so my wife and I walk our
19 nine month old it's in the streets. We
20 already have a lot of traffic in there. You
21 do have to consider the traffic. I appreciate
22 you guys talking about it.

23 Also when, Mr. Victor, you were
24 discussing how close it is, how Lucky's is
25 close. You get on Google Earth any time, you

1 maintained as to be harmonious and appropriate
2 in appearance with the existing or intended
3 character of the general vicinity and that
4 such use will not change the essential
5 character of the same area. To me this is so
6 obviously in violation of that. I strongly
7 urge a no vote whenever the final proposal
8 comes. Thank you.

9 THE CHAIRMAN: So your property --

10 MR. LAZUKA: We're on Crile,
11 right across from where the car wash is going
12 in. Right on the turn.

13 THE CHAIRMAN: It's vacant?

14 MR. LAZUKA: It's vacant right
15 now, yeah.

16 MR. SWEENEY: It's the property
17 just to the north of the access road to the
18 water tower?

19 MR. LAZUKA: Yes.

20 THE CHAIRMAN: What is the address
21 of that property?

22 MR. LAZUKA: It has a parcel
23 number.

24 MR. SWEENEY: How big is that
25 parcel?

1 can look at the satellite views, every one of
2 those places has standoff of at least 100
3 yards because of the golf course, the
4 fairways, the trees, everything. Your
5 development is backing straight up to those
6 condos. There is not that much standoff
7 between. If you look at everywhere down
8 Crile, we have a large standoff.

9 Again, I appreciate you guys doing it.
10 Thank you for tabling it so you can bring it
11 back at another time. We can hopefully talk
12 about it again. Thank you.

13 MR. LAZUKA: Chris Lazuka, 8130
14 North Orchard Road. I have been sworn in.

15 I think everything I was thinking has
16 been stated already. By the way, we also, our
17 family owns the property north of this
18 property on Crile. So I'm here to oppose
19 these variances and conditional use permit.
20 Again for a lot of reasons that we're already
21 mentioned.

22 I guess to add to that I know that you
23 guys need to follow the conditional use permit
24 requirements. One of which is that it is to
25 be designed, constructed, operated and

1 MR. LAZUKA: 3.2. If you need to
2 see a map, I have one.

3 MR. SWEENEY: Yeah, I've seen it.

4 THE CHAIRMAN: Thank you, sir.

5 MS. FREEMAN: Do you know which
6 property that is?

7 MS. GARCAR: There was a statement
8 that confused me. I thought Victor
9 Construction owned that.

10 MR. SWEENEY: From the south,
11 across the street.

12 MS. GARCAR: Thank you.

13 MR. BEDRICK: John Bedrick, 7915
14 Hunting Lake Drive. I was sworn in.

15 I totally agree with all the comments.
16 I appreciate your questions. They were
17 excellent.

18 The thing that I wasn't sure of, and I
19 looked at a condensed map, if I'm correct,
20 Hunting Lake Drive going east will be, the
21 edge of that road going east, will be within
22 10 to 15 feet of the back of the first
23 building on Crile Road; is that correct?
24 Could you look at your map?

25 MR. SWEENEY: I don't think so. On

1 Crile?

2 MR. BEDRICK: On Crile. How far is
3 it from the road itself?

4 THE CHAIRMAN: The building?

5 MR. BEDRICK: The back of the
6 building.

7 THE CHAIRMAN: It's pretty far off
8 of Crile Road, the back of the building.

9 MS. GARCAR: Of the proposed
10 plan?

11 MR. BEDRICK: Yes. How far back?

12 MS. GARCAR: This is the very back
13 of 25 feet for the front of the building
14 wasn't there.

15 MR. BEDRICK: Not the frontage
16 on Crile. On Hunting Lake, from the edge of
17 the road to the back of the property proposed.

18 THE CHAIRMAN: I bet it's over
19 300 feet.

20 MR. BEDRICK: 300 feet. Is that
21 correct, Todd?

22 MR. VICTOR: I would have to
23 see.

24 MR. BEDRICK: It's closer than
25 300 feet. I am talking about if you are going

1 MS. FREEMAN: Mr. Chairman, if you
2 don't mind. There is no setback provided on
3 the site plan, so right now we don't have the
4 actual proposed setback from the road.

5 MR. BEDRICK: Now Hunting Lake Road,
6 if I'm correct, goes through, all the way
7 through and travels for probably a mile and a
8 half, two miles, all the way out to the exit
9 point on the side street. All of the
10 entrances to the complex, the Quail Hollow
11 project, all the entrances are very
12 decorative. Is there any reason why we can't
13 have a decorative front entrance on Crile
14 Road, both on the left side and the right
15 side, to block off some of that proposed
16 building?

17 THE CHAIRMAN: You know, great
18 question. If there was landscaping, that is
19 something.

20 MR. BEDRICK: Landscaping, we will
21 pay for it. I think most of the people here
22 will pay for it.

23 THE CHAIRMAN: I don't know if you
24 should speak for them. I mean you can put
25 that, Mr. Victor is hearing that.

1 east on Hunting Lake Road, coming off of
2 Crile, going east.

3 THE CHAIRMAN: Going this way.
4 This back.

5 MR. BEDRICK: Yes. The back of
6 the property will face Hunting Lake Road,
7 correct?

8 THE CHAIRMAN: Here is Hunting
9 Lake Road. The building faces this way.

10 MR. BEDRICK: How far is it?

11 THE CHAIRMAN: This side or the
12 back?

13 MR. BEDRICK: The back of the
14 property from Hunting Lake Road.

15 THE CHAIRMAN: I'm not sure what
16 you are asking.

17 MR. BEDRICK: It looks like it's
18 awful close.

19 MR. SWEENEY: There is no side line
20 encroachment I can see.

21 THE CHAIRMAN: It's all within the
22 zoning.

23 MR. BEDRICK: My question is
24 somebody said 300 feet, somebody said less.
25 Do we know exactly what it is?

1 MR. BEDRICK: Todd, it's a good
2 idea.

3 THE CHAIRMAN: All your comments
4 should be -- sir, sir, you've got to address
5 us.

6 MR. BEDRICK: I'm sorry.

7 THE CHAIRMAN: We want to keep this
8 moving. Address us. He's hearing that in the
9 proposed site plan you think some landscape or
10 how you would landscape along Hunting Lake
11 Drive to buffer the entrance there.

12 MR. BEDRICK: Every entrance coming
13 into the Quail Hollow development has
14 beautiful landscaping at the entrances. Crile
15 Road is probably going to be the most
16 important entrance into that whole complex
17 like, right?

18 THE CHAIRMAN: This project isn't
19 intended to deal with that issue.

20 MR. BEDRICK: I know that but it's
21 just an afterthought because somewhere, some
22 way, the whole area of Crile Road, and I don't
23 want it to turn into another Vine Street.

24 THE CHAIRMAN: Yes, we've heard
25 that. Understood.

1 MR. BEDRICK: I think you guys,
2 you know, conveyed that, as much. It is a
3 residential area.

4 MS. GARCAR: I do have a question
5 though.

6 MR. BEDRICK: That's it. That's
7 pretty much it.

8 MS. GARCAR: From what your
9 statement is, this landscaping question, that,
10 other than the setbacks of buildings, that
11 does not go through us. Isn't landscaping
12 through the actual site plan, which would be
13 the Zoning Commission, not us? We don't
14 approve --

15 THE CHAIRMAN: We're not approving
16 this --

17 MS. GARCAR: We don't approve
18 the landscaping.

19 MS. FREEMAN: You're not
20 approving landscaping, right.

21 MS. GARCAR: That is a completely
22 different body.

23 MR. BEDRICK: That's why I
24 addressed Todd on it. Right now it is just
25 real estate signs there. I thought eventually

1 Like Mr. Sweeney, I'm as confused about
2 all this after 45 minutes as anybody else. My
3 notes I was going to read to you are now
4 trash. I will go over this in the context of
5 what the original proposal that was put forth
6 today for you guys to listen to.

7 Basically the conditional use permits
8 as laid out in Section 13.05 of the zoning
9 resolution, Mr. Valentic already noted there
10 are probably three or four standards that I
11 believe are not met.

12 In addition, when you look at the
13 review criteria outlined in the zoning
14 information sheet 8, to determine if the
15 variance requests are warranted, there are
16 probably no less than six criteria that are
17 not met. It goes without saying I'm opposed
18 to the conditional use permit and the variance
19 request.

20 If you want to pull in history like
21 1982 or 1985 or whatever, back in 2006 your
22 Auburn/Crile Road business study already
23 identified traffic volumes and accidents as
24 issues. That was 18 years ago. Now we are
25 looking to exacerbate those issues through

1 it's going to have something.

2 MS. GARCAR: That is not our body
3 that will look at that.

4 MR. BEDRICK: It's just a thought.

5 MR. VICTOR: There were real
6 estate signs there that said commercial before
7 anyone lived there.

8 MR. BEDRICK: Well, yeah, that was
9 1985.

10 THE CHAIRMAN: Todd, please. I
11 know. We will give you a chance if you want
12 to say something before we leave. Anything
13 else, sir?

14 MR. BEDRICK: That's it.

15 THE CHAIRMAN: Thank you. Please
16 be seated.

17 AUDIENCE: Can I address that
18 issue?

19 THE CHAIRMAN: No, because that is
20 not an issue, no. It is not an issue.

21 MS. GARCAR: That is an issue for
22 the Zoning Commission, not us to approve
23 landscaping.

24 MR. BENCIC: Michael Bencic 7838
25 Hunting Lake Drive. I've been sworn in.

1 this proposal. Certainly seems to be a
2 contradiction to the broader township plan
3 that discusses development in terms of safety,
4 and protection of property and property
5 values.

6 As already noted there is a bunch of
7 cyclists in here. I cycle. There are no
8 sidewalks. It is dangerous right now. It
9 will be more dangerous. Think of this in the
10 context not just of him putting in his office
11 building and three to five cars coming in. I
12 tend to look at this and I hope you do as
13 well, what is going in and what is going in
14 in the future. Not only in this parcel but on
15 other parcels along Crile and the Town Center.
16 That is going to create far more traffic than
17 you see now. So when we talk about traffic
18 studies, I hope they think of it that way, as
19 opposed to an off the cuff comment that the
20 Lake County Engineers or zoning or whatever is
21 says it's not an issue, I'll get some signed
22 affidavit.

23 Many forward thinking cities and towns
24 across the country are looking to integrate
25 more pedestrian or cycling friendly options

<p style="text-align: right;">Page 78</p> <p>1 into their development. This goes in the 2 absolute opposite direction and will create 3 more safety hazards. To throw out everybody's 4 favorite city, Mentor, actually this city is 5 far behind Mentor when it comes to developing 6 infrastructure to support cycling safety. I 7 found that very interesting. 8 This is zoned R2. It is not zoned 9 commercial. So please, let's make sure we are 10 clear on that. I believe there is within the 11 PUD a commercial part but this is not zoned 12 commercial. 13 Incremental tax or sales from a 14 drive-thru versus another business at this 15 location will likely be minimal at best in 16 part because it would be cannibalizing existing 17 businesses within less than a one mile radius 18 of this location. Whether it is a coffee 19 shop, a drive-thru, whatever it is. Will not 20 make or break the Township. Nor will it 21 dissuade future development in the area. The 22 only losers in this are the people who live on 23 Hunting Lake Drive. 24 These issues that I've raised and 25 others have raised with regard to this</p>	<p style="text-align: right;">Page 80</p> <p>1 My last point is really specific to 2 something Mr. Victor brought up, regarding 3 Fredle Drive and I believe one of my neighbors 4 already brought this up. The golf course is a 5 buffer there. So the idea that you just have 6 a water tower and the water tower is the 7 buffer, that doesn't exist anywhere else 8 within this community. That golf course is a 9 buffer for any of that commercial development 10 on Fredle, before you get into the residential 11 area. Thank you. 12 THE CHAIRMAN: Thanks. 13 MR. SWEENEY: Thank you. 14 THE CHAIRMAN: Is there anyone else 15 that is left? 16 MR. HOUNSHELL: I've just got a 17 question. 18 THE CHAIRMAN: You've got to come 19 up, sir. 20 MR. HOUNSHELL: My name is Jim 21 Hounshell. I live at 11217 Sire Court. I got 22 sworn in. 23 This was tabled tonight, correct, 24 everything that we sat and heard? 25 THE CHAIRMAN: It is potentially</p>
<p style="text-align: right;">Page 79</p> <p>1 proposal are neither trivial nor intermittent. 2 They are real and ongoing and will only get 3 exacerbated with future development. All 4 these are intertwined with the same issues, 5 but with a multiplier effect. I'm not anti 6 development. Some may think that I am. But I 7 am against poorly conceived development or 8 development that uses exceptions when none are 9 needed and which seem to benefit a few to the 10 detriment of many. You have an opportunity to 11 view this proposal in a manner that doesn't 12 create hardship for the adjacent residential 13 community while still allowing the developer 14 his right to develop his property in a 15 responsible way. 16 Finally, I would ask anyone on the 17 Board, as I have asked this of Heather, if 18 anyone can point to any development or any 19 situation where a similar ingress, egress from 20 a commercial development onto a residential 21 road takes place. No one has been able to 22 respond to me in that regard. So if there is 23 another one in Concord Township, I would love 24 to know where it is, and why it was allowed to 25 be put in.</p>	<p style="text-align: right;">Page 81</p> <p>1 going to be tabled, yes. 2 MR. HOUNSHELL: Let me ask a 3 question. If it is tabled, or it's denied, is 4 the public invited back for the next meeting? 5 THE CHAIRMAN: Yes. 6 MR. HOUNSHELL: That's all I 7 wanted. Thank you. 8 THE CHAIRMAN: Is there anyone else 9 that would like to speak for or against this 10 appeal this evening? 11 Mr. Victor, if you come back up one 12 more time. 13 MS. GARCAR: Mr. Chairman, I want 14 to ask a question before Mr. Victor speaks. I 15 guess to legal, I don't know. 16 THE CHAIRMAN: Go ahead. 17 MS. GARCAR: There has been, from 18 Mr. Victor, as well as from the residents some 19 discrepancy what it is currently zoned. It is 20 currently zoned R2 PUD. 21 MS. FREEMAN: Yes. 22 MS. GARCAR: There is an R, that 23 does not mean it is zoned residential. It is 24 zoned R2 PUD. 25 MS. FREEMAN: Yes, ma'am.</p>

1 MS. GARCAR: I wanted to clarify
2 that.

3 MR. VICTOR: The whole site of the
4 Hunt Club was PUD. The planned unit
5 development, which includes all aspects of
6 buildings, commercial, multi-family,
7 everything.

8 MS. GARCAR: Same section that
9 lays out like 20 different things you can do.

10 MR. VICTOR: Right.

11 MS. GARCAR: I just wanted to make
12 sure everyone was following correctly with
13 some different statements.

14 MR. VICTOR: One more thing that I
15 have to say is we've had a commercial sign
16 with a map of the two sides from day one there
17 before anyone ever moved back there. Two 4 by
18 8 signs there.

19 THE CHAIRMAN: Yeah. It's been
20 there.

21 MR. VICTOR: They have been there
22 since day one. We developed the Hunt Club
23 from day one. Everybody must like it, what we
24 did there, because they live there. We don't
25 do anything that looks bad.

1 THE CHAIRMAN: I just made a few
2 notes. Hopefully you kind of listened to what
3 they are saying. If you to table this, you
4 can. Just a couple things that jumped out
5 that you want to maybe consider. I'm not
6 saying you have to. Consider what you are
7 going to do with the warehouse, be able to
8 speak to truck delivery, the traffic, the
9 dumpsters. Those items in 13.05. I'm saying
10 when you come back.

11 MR. VICTOR: There was a traffic
12 study done. That is why there has been a turn
13 lane put in on Crile Road, and everything.
14 The intersection down at the other where
15 Girdled is going in, that's going to be redone
16 too.

17 THE CHAIRMAN: Just, you know, be
18 prepared if you are going to come back to
19 address some of those issues. The entrance
20 and exit, why you're entering and exiting
21 where from the site. We've heard about
22 pedestrians, sidewalks, connections, you know.
23 I think internally and on the edges I think if
24 you want to consider that, how you can improve
25 that. Clearly show the setbacks, and if you

1 are planning screening, just let us know, any
2 landscape. How it kind of ties in to all
3 those items in 13.05 if you come back to
4 present. That would be helpful for us to
5 evaluate it.

6 MR. VICTOR: Right.

7 THE CHAIRMAN: You would like to
8 table this?

9 MR. VICTOR: Yes.

10 THE CHAIRMAN: Thank you.
11 Anything else, Mr. Victor?

12 MR. VICTOR: No.

13 THE CHAIRMAN: Please be seated.

14 MR. BENCIC: Michael Bencic, 1738
15 Hunting Lake Drive. I've been sworn in. I
16 just wanted to comment on Mr. Victor's last
17 comment regarding the signs that have been up
18 on the corner.

19 THE CHAIRMAN: Just make sure
20 whatever you comment is relevant to our --

21 MR. BENCIC: No, this is relevant
22 because it would fall into, I believe it's
23 under the conditional use and it's certainly
24 within some of the other laws regarding
25 property value, okay. Is that fair game? You

1 tell me. If not, I'll sit down. The
2 diminishment of property value, is that fair
3 game to discuss?

4 THE CHAIRMAN: That's not about the
5 signs. He's talking about the signs. If you
6 want to talk about property values, that's
7 fine.

8 MR. BENCIC: Can you give me 30
9 seconds to connect the two?

10 THE CHAIRMAN: Yes.

11 MR. BENCIC: He put those signs
12 up. I drove by those signs when we came in.
13 I have no idea what's going to go in. If you
14 were to ask any of the residents that are on
15 Hygrove right now had Mr. Victor gone to them
16 at the beginning and said I'm building a
17 warehouse here. I'm possibly building a
18 drive-thru restaurant, would he have gotten
19 the price for those homes? I don't know. He
20 has an opportunity to do that right now
21 because not all the homes in there are sold.
22 So the whole idea that I know what I'm buying
23 when I'm going in there, that's not true
24 because the sign basically says commercial
25 development. That's all I am going to say.

To put it in the context of I knew what I was getting into, I didn't know he was going to possibly put a warehouse and a drive-thru in there.

THE CHAIRMAN: Thank you. Can I get a motion to table.

MR. SWEENEY: So moved.

MS. GARCAR: Second.

THE CHAIRMAN: All in favor say aye.

MS. GARCAR: Aye.

MR. SWEENEY: Aye.

THE CHAIRMAN: Aye.

Conditional use permit application 2023-27 and variance application 22-142 have been tabled to next months's meeting.

We're not done yet. There is no additional new business.

We do not have meeting minutes to discuss at this time. Those were not available.

Our next Board of Zoning Appeals meeting will be February 14, 2024.

So the Concord Township Board of Zoning Appeals for January 2024 is now closed to the

State of Ohio,)

) SS: CERTIFICATE

County of Cuyahoga.)

I, Constance Versagi, Court Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the foregoing record was by me reduced to stenotypy/computer, afterward transcribed, and that the foregoing is a true and correct transcript of the record so given as aforesaid.

I do further certify that this proceeding was taken at the time and place in the foregoing caption specified.

I do further certify that I am not otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office on this 22nd day of January, 2024.

Constance Versagi



Constance Versagi, Court Reporter and Notary Public in and for the State of Ohio.
My Commission Expires January 14, 2028

public.

(Meeting adjourned at 8:39 p.m.)

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