

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

Concord Town Hall  
7229 Ravenna Road  
Concord, Ohio 44077

October 11, 2017  
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Francis Sweeney, Vice Chairman  
Blair Hamilton  
Chris Jarrell  
Todd Golling, Alternate

Also Present:

Michael Lucas, Esq., Legal Counsel  
Heather Freeman, Zoning Director/Zoning Inspector  
Sydney Martis, Planner/Assistant Zoning Inspector

**Melton Reporting**  
11668 Girdled Road  
Concord, Ohio 44077  
(440) 946-1350

1 7:01 p.m.

2 VICE CHAIRMAN SWEENEY: Good evening. This is the  
3 meeting of the Board of Zoning Appeals for October 11th of  
4 2017. My name is Francis Sweeney. I am sitting chair this  
5 evening. And I would like to introduce the Board. To my  
6 right is Blair Hamilton, and next to him is Chris Jarrell, and  
7 then to my left is Todd Golling.

8 Under the advice of counsel, we would ask that  
9 anyone who plans on speaking tonight before us please be sworn  
10 in. Even if you think you might not but there is a chance,  
11 stand up and, when presented, please get sworn. When  
12 presenting your case, please, please come to the microphone  
13 and state your name and address for the record and then you  
14 may testify or speak.

15 Tonight we have, we have on the agenda three  
16 variances and three conditional use permit applications. I  
17 understand one of variances is being tabled, and we will  
18 address that at the time that we get there.

19 And I guess we can start off with the first variance  
20 and that is Variance Number --

21 MS. JARRELL: You have to have everybody stand up.

22 VICE CHAIRMAN SWEENEY: Oh, I'm sorry. Let's -- We  
23 need to have everybody sworn in who plans on testifying.

24 (Whereupon, the speakers were sworn en masse.)

25 VICE CHAIRMAN SWEENEY: Thank you. All right. Now  
26 we will start off with the first matter on the agenda and that  
27 would be, number one, the Variance Number 2017-15, Mr. Donald  
28 Plunkett, of Studio One Design Group, Inc., is requesting a  
29 variance from the Sections 13.32(B)(1) and Table 22.04 to  
30 allow for outdoor display to be located with a side yard

1 clearance of 10.5 feet, in lieu of the 20 feet required, for  
2 the property located at 8109 Crile Road and being Permanent  
3 Parcel Number 08-A-021-0-00-044-0.

4 Good evening.

5 MR. PLUNKETT: Good evening. I'm Don --

6 VICE CHAIRMAN SWEENEY: You've been sworn?

7 MR. PLUNKETT: Yes. Don Plunkett, representing the  
8 company of Route 44, LLC.

9 MS. JARRELL: Sir, what is your address, please?

10 MR. PLUNKETT: My address is 2451 Stratford Road,  
11 Cleveland Heights, Ohio 44118.

12 MS. JARRELL: Thank you.

13 MR. PLUNKETT: And I work for Studio One Design  
14 Group. The hardware store is going to be moving down to  
15 8109 Crile Road. We're looking to put an addition on the  
16 south end, and that's going to go to just about 20 -- The  
17 property line and the building is not totally parallel but the  
18 back corner will be just under -- or just over 20 feet off and  
19 the front will be like 20 feet or 21 feet, a few inches.

20 So -- And the hardware store is taking that addition  
21 and the south end of the existing building, so they'll be on  
22 the south end. Concord Motor Sport and Troutman Supply, which  
23 is phasing out but they are keeping the rental equipment,  
24 which is actually Concord Rental, will be in the remainder of  
25 the building.

26 And the hardware store was looking to put -- bring,  
27 kind of, their propane service to the new location. And so  
28 looking at where we could have it and they can service it with  
29 employees, it, kind of, it needs to be in the vicinity of  
30 their store, because we looked at putting it around on the

1 north to the back but, again, now you've got an employee going  
2 around Concord Motor Sports, around to the back to fill it up.

3 So what we've requested -- And our tank actually  
4 sits back in line with the face of the building and its 10  
5 feet 5 to the tank off of the south property line, so we  
6 needed a variance. We're proposing to screen it with both a  
7 fence and landscaping. Excuse me. And that's kind of our  
8 request to bring their -- bring the tank.

9 It's actually smaller. Their current tank, I think,  
10 is a -- I am going to be wrong. I'm not intentionally  
11 misquoting. I think it's a 5,000 gallon tank. They're going  
12 to a 1,000 gallon tank, so it's smaller than their current  
13 one. They found they really don't need that large of a tank.  
14 A thousand is still pretty good size. I mean, it's still --  
15 And it may be, it may be 3,000. I apologize for not having  
16 that, but it is smaller.

17 MS. JARRELL: Is it safe to assume that 84 Lumber is  
18 okay with everything? Otherwise, I guess they might be here.  
19 Have you -- Has anyone talked with them?

20 MR. PLUNKETT: I have not. I'm not sure if the  
21 owners have. Does any kind of -- I don't know if any notice  
22 goes out.

23 MS. JARRELL: A notice went out to them.

24 MS. FREEMAN: There would have been direct  
25 notification to them.

26 MR. PLUNKETT: Okay, yeah. I can't imagine, being  
27 familiar with that, they sit -- Their shed on that side sits  
28 ahead of, actually, where the building setback line is, which  
29 is 50 feet, and they're inside that 50. Our corner, I mean,  
30 we're back at that corner another 20 some, more than that, 30

1 feet to the building from the 50 yard setback, so our tank is  
2 back.

3 MR. GOLLING: So that, on the left side of their  
4 property line, the north side of their property line, that's  
5 lumber storage, correct? It's one of those, just a shed,  
6 overhead shed?

7 MR. PLUNKETT: Yes, yeah.

8 MR. GOLLING: Okay.

9 MR. PLUNKETT: So they won't, they won't, I mean,  
10 again, they really won't see our tank but it will be close, in  
11 close with the fence both in the front and down the side.

12 MR. GOLLING: Gotcha.

13 MR. PLUNKETT: And then also landscaping.

14 MR. HAMILTON: And the height of your fence will  
15 completely shield the --

16 MR. PLUNKETT: Yes.

17 MR. HAMILTON: -- this from view?

18 MR. PLUNKETT: Our tank is like 4 foot something  
19 high and I believe we've called for a 6 foot fence, so we are  
20 going to be one foot something.

21 MR. HAMILTON: Your plan indicates 7 feet.

22 MR. PLUNKETT: Seven feet?

23 MR. HAMILTON: Yeah.

24 MR. GOLLING: There is no empty actual --

25 MR. PLUNKETT: Again, yeah, I gave the height to the  
26 landscape architect and she, she picked the fence and located  
27 it along with her landscaping. So whatever she has on there  
28 is what will be.

29 VICE CHAIRMAN SWEENEY: Okay.

30 MR. HAMILTON: No more questions here.

1 VICE CHAIRMAN SWEENEY: Is that it?

2 MR. PLUNKETT: Any questions?

3 VICE CHAIRMAN SWEENEY: Okay. I have no questions.  
4 Anybody?

5 MR. GOLLING: Yeah, just one. Did they at all  
6 consider like a remote fill station where, like, you would  
7 have a tank in back and then just a line going up to, up to  
8 the front so the majority of the tank would be hidden behind  
9 there? I don't know how that works. I just --

10 MR. PLUNKETT: Yeah, you can do that but that gets  
11 into a different operation just because of the length. I  
12 don't know that they really looked at that. That building is  
13 pretty long. So to do that, again, I'm not sure. I think it  
14 would be difficult and you're still going to have to have, you  
15 know, where you're filling tanks and something there.

16 MR. GOLLING: Right, right.

17 MR. PLUNKETT: And whether it's screened --

18 MR. GOLLING: Or not, I see your point.

19 MR. PLUNKETT: Yeah.

20 VICE CHAIRMAN SWEENEY: Okay. Thank you.

21 MR. PLUNKETT: Okay.

22 VICE CHAIRMAN SWEENEY: Is there anyone else to  
23 speak on this Variance 2017-15? If not, I guess I will close  
24 the public hearing on this matter at this time.

25 MS. JARRELL: Motions.

26 VICE CHAIRMAN SWEENEY: A motion to approve. Yeah,  
27 at this point, I will entertain a motion to, to approve the  
28 variance.

29 MR. HAMILTON: So moved.

30 MS. JARRELL: Second.

1 VICE CHAIRMAN SWEENEY: Okay. Discussion, anybody?

2 MR. GOLLING: I've been out to 84 and, yeah, in  
3 looking at -- I am recalling this. There is three, like, shed  
4 style buildings there and the one that faces that property  
5 that they want to put this up at, there is a wall on the back  
6 of it. They stack lumber in there against it and it's one of  
7 the larger ones. So regardless of what they put on that side,  
8 you can't see it from this property, that much I know. And  
9 this, that one wood shed extends almost all the way up to the  
10 front parking lot of the Crile Road Sports building.

11 MR. HAMILTON: Right. I agree, it's going to be  
12 unobtrusive. Nobody is even going to notice it's there.

13 MS. JARRELL: Right.

14 VICE CHAIRMAN SWEENEY: Anybody else?

15 MR. GOLLING: That's all I have.

16 VICE CHAIRMAN SWEENEY: Okay. I guess we can put  
17 this to a vote.

18 MS. FREEMAN: Mr. Hamilton?

19 MR. HAMILTON: Yes.

20 MS. FREEMAN: Mr. Sweeney?

21 VICE CHAIRMAN SWEENEY: Yes.

22 MS. FREEMAN: Ms. Jarrell?

23 MS. JARRELL: Yes.

24 MS. FREEMAN: Mr. Golling?

25 MR. GOLLING: Yes.

26 MS. FREEMAN: Passed.

27 VICE CHAIRMAN SWEENEY: Okay. And the variance is  
28 granted.

29 MR. PLUNKETT: Thank you.

30 VICE CHAIRMAN SWEENEY: Thank you very much.

1           Second on the agenda this evening is Variance  
2 Number 207 -- 2017-16. We received a notification this  
3 evening that the applicant for the variance would like to  
4 table the application for this meeting, and so it will be --  
5 It is tabled until they reschedule, Heather; is that correct?

6           MS. FREEMAN: Until next month's meeting.

7           VICE CHAIRMAN SWEENEY: Until next month's meeting.

8           MS. FREEMAN: November 7th or November --

9           VICE CHAIRMAN SWEENEY: Do we need a motion to  
10 approve that?

11          MR. HAMILTON: I think so.

12          MR. LUCAS: I think, to be honest with you, unless  
13 there is a strong objection, the chairman can just table it.

14          VICE CHAIRMAN SWEENEY: Yeah, we will table it until  
15 the next meeting. Okay.

16          On Number 3, which is another variance, Variance  
17 Number 2017-17, Mr. Lance Osborne of Crile Road Partners, LLC,  
18 is requesting a variance from Section 13.17(C) to allow for a  
19 drive-thru facility with seven waiting spaces, in lieu of the  
20 ten required, for the property located at 7689 Crile Road and  
21 being Permanent Parcel Number 08-A-019-0-00-027-0.

22          Good evening.

23          MR. OSBORNE: Good evening. My name is Lance  
24 Osborne and I represent Crile Road Partners, LLC. My address  
25 is 7670 Tyler Boulevard, Mentor, Ohio 44060. So --

26          MS. JARRELL: And you've been sworn in, right?

27          MR. OSBORNE: I've been sworn in, yeah.

28          VICE CHAIRMAN SWEENEY: Okay.

29          MR. OSBORNE: Thank you. I will just give a general  
30 update on the project and then we can jump into the requested



1 variances and conditional use permits.

2 Starbucks occupied their space earlier this year.  
3 Earlier last month, Pizza Roto opened in what is called  
4 Building 3, which is shown on this portion on the site.  
5 Building 2, the construction for Building 2 commenced last  
6 month. The steel is up on that. We anticipate completion of  
7 that building in the spring. And Building 4 has been updated,  
8 which is the outparcel building here, has been updated from  
9 3,900 square feet, which was approved, to 2,300 square feet.  
10 That building will be occupied by Chipotle, who will have an  
11 outdoor patio, will have a pickup window -- which is a little  
12 different than a drive-thru per se, which I can get into when  
13 we get into the individual items. I just want to give a  
14 background -- and they will have counter service. It's your  
15 standard quick service, fast casual concept. I am sure  
16 everyone's been there.

17 So, aesthetically, the building will match,  
18 basically, everything that's out there. We'll use the same  
19 stone. We will use the same masonry units, same colored  
20 storefront, which is a bronze storefront. And it should be  
21 one cohesive development, which was what we were tasked with  
22 and wanting to do from the start.

23 And so we are excited to bring Chipotle to Concord.  
24 We think they'll do extremely well. We think they'll be a  
25 great addition to the community. And I am happy to address  
26 any questions relating to the overall project or jump in, I  
27 guess, to the first variance, which is for the drive-thru and  
28 the seven waiting space stacking area.

29 VICE CHAIRMAN SWEENEY: Yeah. Let's take, let's  
30 take one at a time.

1 MR. OSBORNE: Yeah, great.

2 VICE CHAIRMAN SWEENEY: And we will address that  
3 first. Okay?

4 MR. OSBORNE: So, surprisingly, the Greater  
5 Cleveland market is Chipotle's strongest market for ordering  
6 items on your phone and then going and picking them up at the  
7 store. So, this, it's really a pickup window, it's not a  
8 drive-thru per se. So you will order on your phone and you  
9 will go, if you don't want to walk in, you will go through  
10 the, basically, the car waiting line and pick it up and then  
11 you can go. So you won't sit there at the window and order  
12 like you do at Starbucks per se. So that's my understanding  
13 of how this pickup window will operate.

14 As such, I don't think there is need for ten cars of  
15 stacking because it should be pretty fluid. There shouldn't  
16 be anyone waiting. If you are waiting and you're holding up  
17 the line, they're going to move you off into the parking lot  
18 so they can continue the flow traffic through that pickup  
19 window.

20 So as it pertains to the seven car waiting spaces in  
21 lieu of ten, I am happy to address any questions.

22 MR. GOLLING: I have a question.

23 MR. OSBORNE: Yes.

24 MR. GOLLING: So I am looking at the -- on the map,  
25 it looks like there is a two-lane road that's going to the  
26 back of the property.

27 MR. OSBORNE: Yes.

28 MR. GOLLING: That, you know, and the cars can go in  
29 there and stack up to seven cars in there. You know, I'm a  
30 little worried about, you know, maybe a little bit of a

1 backup. To counter my own argument, how much traffic will be  
2 going up and down that road to the back? Like, what's going  
3 to be in the back of the property that the road would need to  
4 extend to?

5 MR. OSBORNE: So that driveway is in right now. It  
6 services Scafco Scaffolding and the rest of the tenants that  
7 are in the industrial buildings, which are not shown on these  
8 plans, to the rear.

9 MR. GOLLING: Right.

10 MR. OSBORNE: Let me see if I have any plan that  
11 shows the drive.

12 MR. GOLLING: Yeah, yeah, this one. So this  
13 driveway goes all the way back to the back to this gray  
14 building and the black building.

15 VICE CHAIRMAN SWEENEY: Okay.

16 MR. GOLLING: I mean, I don't know if there is a  
17 like a whole bunch of traffic there.

18 MR. HAMILTON: I guess the concern would be you're  
19 crossing outgoing traffic to get in line for the pickup.

20 MR. OSBORNE: And I do not have a plan that shows  
21 the industrial buildings but they're not high, they're not  
22 high traffic uses, so I don't anticipate a problem.

23 MR. GOLLING: Are they like people, I mean,  
24 people -- like places of work, you go there and work all day  
25 and come home?

26 MR. OSBORNE: Yes.

27 MR. GOLLING: Or is it not retail? I don't know.

28 MR. OSBORNE: No, it's not retail. It's, it's an  
29 office and industrial use, more of an industrial use.

30 MR. GOLLING: So just a minimum amount of traffic

1 goes back there?

2 MR. OSBORNE: Yeah, there are some trucks but not a  
3 high retail traffic type use. There really would be more use  
4 of that driveway like going to the Pizza Roto on the site than  
5 there would be going to the industrial in the back.

6 MR. GOLLING: Gotcha.

7 MS. JARRELL: How big is this dumpster area?  
8 Because on the site plan it looks almost like it goes into the  
9 middle of the egress.

10 MR. OSBORNE: Yeah, we are actually re -- We are in  
11 the process of relocating that.

12 MS. JARRELL: Okay.

13 MR. OSBORNE: Which will go in front of the Planning  
14 Commission at next month's meeting.

15 VICE CHAIRMAN SWEENEY: What are you --

16 MS. JARRELL: The dumpster right here.

17 VICE CHAIRMAN SWEENEY: All right. Okay.

18 MS. JARRELL: So would it make sense -- and I don't  
19 know how feasible this is -- to put some kind of a sign there  
20 that, if the cars are backed up to -- I don't know -- put a  
21 line on the driveway if they're backed up that a car would  
22 need to come back? I mean, is there a way that we could stop  
23 it from getting backed up that way?

24 MR. OSBORNE: I just don't foresee it ever getting  
25 backed up just by the nature of how this operation is going  
26 to --

27 MS. JARRELL: But I know how busy Chipotle is. We  
28 all do. It's crazy.

29 MR. OSBORNE: Right, right, right.

30 MS. JARRELL: So, I mean, just to just kind of

1 protect everybody.

2 MR. OSBORNE: But they're not -- And so it's not  
3 your standard fast food use where they're actually making it.  
4 It will be prepared.

5 MS. JARRELL: No, I know.

6 MR. OSBORNE: So you will order it 20 minutes in  
7 advance and then go pick it up. So if, if the food is not  
8 ready for pickup, that's where they'll have the first car,  
9 basically, that's in line move forward so that the second car  
10 can go through to pick up the order. Anyone whose order is  
11 not ready will, basically, be in a parking spot to the north  
12 of, to the north of Chipotle building.

13 MS. JARRELL: Okay.

14 MR. HAMILTON: Has Chipotle done this anywhere else?

15 MR. OSBORNE: This will be the second one. There is  
16 one around Columbus that has not opened yet. This will be the  
17 second one.

18 MR. HAMILTON: So we have no comparison on what the  
19 actual traffic volume may be.

20 MR. OSBORNE: Not that I'm aware of.

21 MR. GOLLING: Do we know the cycle time from, like,  
22 how long does it take someone to pull up to the window?

23 MR. OSBORNE: I am just doing my own normal  
24 experience because we do it at the office, order on the food  
25 and go pick it up.

26 MR. GOLLING: Right.

27 MR. OSBORNE: I mean, it's usually you walk in the  
28 door and you give them your credit card and you're out the  
29 door --

30 MR. GOLLING: Right.

1 MR. OSBORNE: -- within two minutes max, absolute  
2 max.

3 MS. JARRELL: But I also know what food service is  
4 all about and things get backed up.

5 MR. OSBORNE: Right.

6 MS. JARRELL: There is no doubt about it.

7 VICE CHAIRMAN SWEENEY: Is there a, is there a  
8 passing area to the right of the lineup? For example --

9 MR. OSBORNE: The driveway to the rear is 30 feet  
10 wide. We purposely overbuilt it for any trucks that were  
11 going back to the industrial there, so there would be room to  
12 pass.

13 VICE CHAIRMAN SWEENEY: So, for example, if I'm in  
14 that lineup there, let's say I am the fourth car back and I  
15 just don't want to wait and I want to leave, is there enough  
16 room to get out and leave?

17 MR. OSBORNE: Yes.

18 VICE CHAIRMAN SWEENEY: Okay.

19 MR. HAMILTON: That wouldn't -- The plan doesn't  
20 indicate that, that I can see.

21 VICE CHAIRMAN SWEENEY: Yeah, it's a little bit --

22 MR. GOLLING: It looks curbed in.

23 VICE CHAIRMAN SWEENEY: Yeah.

24 MR. HAMILTON: There's a curb all the way around.

25 VICE CHAIRMAN SWEENEY: But you are saying that's a  
26 30 foot space there?

27 MR. OSBORNE: I am talking the driveway that goes  
28 from, from Crile to the rear industrial building which would  
29 access --

30 VICE CHAIRMAN SWEENEY: Oh, no, no.

1 MR. OSBORNE: I thought you were referring to if  
2 traffic backed up to where cars were waiting on that to turn  
3 left into --

4 VICE CHAIRMAN SWEENEY: No, just the ones that are  
5 in line there. You see, if you look at the fourth car in --

6 MR. OSBORNE: Okay, yeah. We --

7 VICE CHAIRMAN SWEENEY: Or fifth car in.

8 MR. OSBORNE: Yeah, we're planning for that to be  
9 curbed, so you could not get out.

10 VICE CHAIRMAN SWEENEY: Oh, you could not?

11 MR. OSBORNE: No.

12 VICE CHAIRMAN SWEENEY: So once you're in that  
13 line --

14 MR. GOLLING: You're committed.

15 MR. OSBORNE: Yeah, because we wouldn't want cars --

16 VICE CHAIRMAN SWEENEY: A lot of the drive-thrus  
17 have the bypass lane that you can just --

18 MS. JARRELL: But you've already ordered, you know.

19 VICE CHAIRMAN SWEENEY: Right, right.

20 MR. GOLLING: You are just there to pick up.

21 VICE CHAIRMAN SWEENEY: Right.

22 MS. JARRELL: Yeah.

23 MR. GOLLING: So you pull up, if you pay on your  
24 phone, grab your food and go. So, theoretically, I mean, it  
25 could be less than a --

26 MS. JARRELL: Are they paying at the window or are  
27 they paying with their phone as well?

28 MR. OSBORNE: The phone. There is no --

29 MS. JARRELL: They're doing everything?

30 MR. OSBORNE: Yeah.

1 VICE CHAIRMAN SWEENEY: It's just a pickup.

2 MR. OSBORNE: It's just a pickup really.

3 MR. GOLLING: Wow, okay.

4 MS. JARRELL: Would you be opposed to putting some  
5 kind of signage there because we have no, we have no history?

6 MR. OSBORNE: Right.

7 MS. JARRELL: We have no data on, you know, how this  
8 works and how quickly it will be. I am sure, you know, when  
9 they open up there is going to be a learning curve for  
10 everybody. And I am just afraid that, you know, they're going  
11 to be out here in this road.

12 MR. OSBORNE: So you want the signage on the main  
13 driveway or more --

14 MS. JARRELL: I would -- I'm thinking that it would  
15 go right here.

16 MR. OSBORNE: Okay.

17 MS. JARRELL: So do you understand?

18 MR. OSBORNE: Yeah. I don't think that would be a  
19 problem to have some sort of signage.

20 MS. JARRELL: Just, you know, if the cars are backed  
21 up to this line, you need to circle around or some -- I don't  
22 even -- I don't know what you would say but just so they're  
23 not sitting there.

24 MR. OSBORNE: We can put like a "no waiting" there.

25 MS. JARRELL: Right.

26 MR. OSBORNE: Yeah, yeah, we can do that.

27 MS. JARRELL: So if you're moving the dumpster then,  
28 is that going to be a concrete island? Are you going to have  
29 landscaping there?

30 MR. OSBORNE: That will be landscaping.



1 MS. JARRELL: Okay.

2 MR. HAMILTON: Just where is the dumpster moving?

3 MR. OSBORNE: See how -- See the adjacent, kind of,  
4 goofy parking space right to the northeast, I mean, literally  
5 like a few inches away?

6 MS. JARRELL: Where the five spaces are?

7 MR. OSBORNE: Yeah, where the five spaces are. We  
8 are contemplating putting it in that area. But that is going  
9 to be a masonry and it will be the matching enclosure to the  
10 one that's behind Starbucks. So it's a mason, it's a fully  
11 masonry enclosure and it's gated on the front side.

12 MS. JARRELL: Okay. I think that's a much better  
13 idea, for whatever it's worth.

14 Anybody else have questions?

15 MR. GOLLING: So, basically, this is -- He's  
16 supposed to have ten but it has seven but it's not a  
17 traditional drive-thru. So this could be a swoop-and-go type  
18 thing. I mean, yeah, at first, it's going to -- I am going to  
19 avoid it like the plague at first because it is going to be  
20 bad just traffic wise. I know when new restaurants open,  
21 forget about it, but give it a month or so, I think they will  
22 have it down. I think that I am actually kind of excited to  
23 try it. You buy it, pull it, don't have to get out of your  
24 car, swoop right through, get out and go. That's going to be  
25 neat.

26 My only -- I was looking. I wasn't sure how many  
27 ingress/egress there were for this and there is two, the one  
28 close, the one on our side down here by the Pizza Roto and  
29 Chipotle, and then the Starbucks one. That's right, right?  
30 That's just two ways in and out?

1           MR. OSBORNE: Two main curb cuts to access the  
2 shopping center.

3           MR. GOLLING: Right, gotcha.

4           MR. OSBORNE: Yep.

5           MR. GOLLING: So I guess the -- I guess one of the  
6 questions was, so say, like, they, Chipotle, blows up and they  
7 can't service the drive-thru thing and we start getting people  
8 starting to back up here, then, you know, would it completely  
9 block that one south ingress/egress to the plaza there as  
10 people wouldn't be able to get around? I suppose they could  
11 shoot, shoot through that west parking lot and just go the  
12 other way. That is a parking lot in front, isn't it?

13           MR. OSBORNE: And, here, let me add something  
14 because it's shown on the elevations which could rectify that  
15 issue. If there was an extreme line and you didn't want to  
16 wait in the car line, there is a door.

17           MR. GOLLING: Pickup door.

18           MR. OSBORNE: There is a pickup door which I believe  
19 is just for pickup and go. I don't know that for sure but  
20 that's my understanding of what that door services. It is not  
21 a main entrance door or anything, it is simply for the to-go  
22 pickup. So you wouldn't have to wait in line. You could park  
23 in one of the parking spaces and walk in that door.

24           MR. GOLLING: So they could park, where it says "28"  
25 right there, they could just basically park there, scooch  
26 across the lot and get their stuff and go there?

27           MR. OSBORNE: Yes.

28           MR. GOLLING: It's just north of it, gotcha. Okay.

29           MS. JARRELL: Can you, can you bring the site plan  
30 back and show us how -- I mean, are they going to exit,

1 they're going to come out of this line and then they're going  
2 to come around here and exit out this way?

3 MR. OSBORNE: They could go to the north or to the  
4 south but, I mean, most likely they will go west and then  
5 south and then onto Crile.

6 MR. HAMILTON: It's a long way north.

7 MS. JARRELL: So they're coming around here.

8 MR. OSBORNE: Yep, right there like that.

9 MS. JARRELL: Okay. So they're not going to --  
10 There is no turning right out of here? Do you see what I am  
11 saying? If you come out of that pickup line --

12 MR. OSBORNE: No. You would have to go up to the  
13 north-south connection.

14 MS. JARRELL: Okay. All right. Well, hopefully,  
15 people will understand that that's the way the flow needs to  
16 be here or it's going to be crazy.

17 VICE CHAIRMAN SWEENEY: Okay. If that's it for this  
18 variance application, I will go ahead and ask -- Mr. Osborne,  
19 I guess, you can stand there because we have several. Is  
20 there anyone else here to speak for or against this variance?  
21 And if not, we will go ahead and close the public meeting.  
22 Any discussion?

23 MS. JARRELL: I think that this is pretty fabulous  
24 that they can do everything on their phone and they're just  
25 going to be picking it up. I don't foresee that they're going  
26 to have seven cars piling up but I think a sign there will  
27 help just in case.

28 VICE CHAIRMAN SWEENEY: Yeah.

29 MR. HAMILTON: So you want that as a stipulation?

30 MS. JARRELL: Yes, please.

1 MR. HAMILTON: Very good.

2 VICE CHAIRMAN SWEENEY: Okay. All right. Any other  
3 comment?

4 MR. HAMILTON: No. Given the, you know, the nature  
5 of the service and the variance amount, it's 30 percent, I  
6 think this will work.

7 VICE CHAIRMAN SWEENEY: Yeah, very exciting. Okay.  
8 I will entertain a motion to approve the variance, somebody.

9 MS. JARRELL: So moved.

10 MR. GOLLING: So moved.

11 MR. HAMILTON: Second.

12 MR. GOLLING: I need to verbalize my thoughts, "So  
13 moved."

14 MS. JARRELL: Yes.

15 VICE CHAIRMAN SWEENEY: We've already had  
16 discussion, so I guess we could just go directly to a vote.

17 MS. FREEMAN: Mr. Chairman, can I ask you to clarify  
18 in the motion whether or not we're doing a condition on this  
19 approval?

20 VICE CHAIRMAN SWEENEY: With the condition.

21 MS. FREEMAN: Maybe say it with the motion.

22 VICE CHAIRMAN SWEENEY: And the condition being a  
23 sign which is located -- I am sorry, Chris.

24 MS. JARRELL: It's going to be located at the  
25 entrance of the pickup line.

26 VICE CHAIRMAN SWEENEY: And to reflect?

27 MS. JARRELL: And to reflect no waiting if cars are  
28 backed up to that point.

29 VICE CHAIRMAN SWEENEY: Okay. And that's agreed to?

30 MR. OSBORNE: Yes.

1 VICE CHAIRMAN SWEENEY: Okay. And with that, on  
2 that condition, we can take a vote.

3 MS. FREEMAN: Okay. Mr. Golling?

4 MR. GOLLING: Yes.

5 MS. FREEMAN: Ms. Jarrell?

6 MS. JARRELL: Yes.

7 MS. FREEMAN: Mr. Hamilton?

8 MR. HAMILTON: Yes.

9 MS. FREEMAN: And Mr. Sweeney?

10 VICE CHAIRMAN SWEENEY: Yes.

11 MS. FREEMAN: The variance is approved.

12 VICE CHAIRMAN SWEENEY: Okay. The variance passes.

13 MR. OSBORNE: Thank you.

14 VICE CHAIRMAN SWEENEY: And we can move to the next  
15 conditional use. This is a conditional use permit,  
16 Number 2017-7, Mr. Lance Osborne of Crile Road Partners, LLC,  
17 is requesting a conditional use permit in accordance with  
18 Section 13.05 and 13.17 for a drive-thru facility for the  
19 property located at 7689 Crile Road and being Permanent Parcel  
20 Number 08-A-019-0-00-027-0.

21 Mr. Osborne.

22 MR. OSBORNE: So it's not a true drive-thru per se  
23 but it is a pickup window. So, I mean, we are requesting this  
24 conditional use for that use, as I previously stated. And,  
25 once again, I am happy to address any further questions.

26 MR. HAMILTON: I think we understand.

27 VICE CHAIRMAN SWEENEY: Yeah, I think we discussed  
28 it already.

29 MS. JARRELL: Yes.

30 VICE CHAIRMAN SWEENEY: And, again, there is no --

1 If there is any for or against, please come up to the podium  
2 now. And if not, I close the public hearing portion. And we  
3 have -- I don't think we have any more need for discussion.

4 MR. HAMILTON: I have nothing.

5 MR. GOLLING: Nothing.

6 MS. JARRELL: Nor do I.

7 VICE CHAIRMAN SWEENEY: I will entertain a motion  
8 for approval.

9 MS. JARRELL: So moved.

10 MR. HAMILTON: Second.

11 VICE CHAIRMAN SWEENEY: Okay. I guess we can take  
12 it directly to a vote.

13 MS. FREEMAN: Okay. Mr. Hamilton?

14 MR. HAMILTON: Yes.

15 MS. FREEMAN: Ms. Jarrell?

16 MS. JARRELL: Yes.

17 MS. FREEMAN: Mr. Golling?

18 MR. GOLLING: Yes.

19 MS. FREEMAN: Mr. Sweeney?

20 VICE CHAIRMAN SWEENEY: Yes.

21 MS. FREEMAN: Your conditional use permit is  
22 approved.

23 MR. OSBORNE: Great. Thank you.

24 VICE CHAIRMAN SWEENEY: And you were successful on  
25 that as well. And let's move to the next conditional use  
26 permit, Number 5 on the agenda, Number 2017-8, Mr. Lance  
27 Osborne of Crile Road Partners, LLC, is requesting a  
28 conditional use permit in accordance with Sections 13.05 and  
29 13.20 for a counter service restaurant for the property  
30 located at 7689 Crile Road and being Permanent Parcel Number

1 08-A-019-0-00-027-0.

2 MR. OSBORNE: So they will have counter service. It  
3 will be as your pretty typical Chipotle as you see around the  
4 area, and I really have nothing else to add on that.

5 VICE CHAIRMAN SWEENEY: And I don't believe there is  
6 any, any public comment additional, so we will close the  
7 public hearing again. Any discussion among the members?

8 MR. HAMILTON: Nothing.

9 VICE CHAIRMAN SWEENEY: Nothing. I will entertain a  
10 motion for approval.

11 MR. HAMILTON: So moved.

12 MS. JARRELL: Second. Thought we would take turns?

13 MR. HAMILTON: Yeah.

14 VICE CHAIRMAN SWEENEY: And since there will be no  
15 discussion, we can go directly to a vote on that.

16 MS. FREEMAN: Mr. Sweeney?

17 VICE CHAIRMAN SWEENEY: Yes.

18 MS. FREEMAN: Mr. Hamilton?

19 MR. HAMILTON: Yes.

20 MS. FREEMAN: Ms. Jarrell?

21 MS. JARRELL: Yes.

22 MS. FREEMAN: Mr. Golling?

23 MR. GOLLING: Yes.

24 MS. FREEMAN: Passes, four-zero.

25 VICE CHAIRMAN SWEENEY: You are successful on that  
26 one as well. And we will go to the last and final conditional  
27 use permit, Number 2017-9, Mr. Lance Osborne of Crile Road  
28 Partners, LLC, is requesting a conditional use permit in  
29 accordance with Section 13.05 and Section 13.33 for outside  
30 dining for the property located at 7689 Crile Road and being

1 Permanent Parcel Number 08-A-019-0-00-027-0.

2 Okay, Mr. Osborne.

3 MR. OSBORNE: So on the southern portion of their  
4 site, which is in this area right here, they will have outdoor  
5 dining on, basically, a patio area. We're still defining the  
6 exact square footage and seating for that area but we are  
7 requesting that they have the conditional use for outside  
8 dining.

9 MS. JARRELL: And what's the plan for the periphery  
10 of the dining area? Is it going to be wrought iron? Is there  
11 going to be any kind of --

12 MR. OSBORNE: It will be fenced. Typically, it's,  
13 they do -- We have done another store of theirs where they did  
14 the fencing. So I don't know what their exact materials are  
15 at this point but it's usually been a very attractive material  
16 they have used in the past. So it will be an enclosed patio.

17 MS. JARRELL: And is the walkway going to be also  
18 enclosed? You see how it's --

19 MR. OSBORNE: No. There will be a dedicated 5 foot  
20 sidewalk for access to the parking.

21 MS. JARRELL: All around, okay.

22 MR. OSBORNE: Yep.

23 MS. JARRELL: Okay.

24 MR. HAMILTON: And you're familiar with all the  
25 other outside dining requirements in the zoning?

26 MR. OSBORNE: Uh-huh.

27 MR. HAMILTON: And you will meet those requirements?

28 MR. OSBORNE: Yes. If we do not, we will come back  
29 either to this body or the Planning Commission for further  
30 approvals.



1 MS. JARRELL: What's the timeline for having the new  
2 site plan put together, or the revised site plan and  
3 everything?

4 MR. OSBORNE: It's being revised today, so tomorrow.

5 MS. JARRELL: Oh, okay.

6 MR. OSBORNE: And then we will be on the November  
7 Planning Commission.

8 VICE CHAIRMAN SWEENEY: Okay. As there doesn't seem  
9 to be any other comment for or against this, I will close the  
10 public hearing. And any discussion? It looks good.

11 MS. JARRELL: It's consistent with the whole  
12 development. I am sure it's, it's going to be wonderful.

13 VICE CHAIRMAN SWEENEY: It's really nice. All  
14 right. I will entertain a motion to approve the conditional  
15 permit.

16 MR. GOLLING: So moved.

17 MS. JARRELL: Second.

18 MR. HAMILTON: Second, second.

19 VICE CHAIRMAN SWEENEY: And it is passed, no more  
20 discussion, apparently, and we will go directly to a vote on  
21 this.

22 MS. FREEMAN: Mr. Hamilton?

23 MR. HAMILTON: Yes.

24 MS. FREEMAN: Ms. Jarrell?

25 MS. JARRELL: Yes.

26 MS. FREEMAN: Ms. Golling?

27 MR. GOLLING: Yes.

28 MS. FREEMAN: And Mr. Sweeney?

29 VICE CHAIRMAN SWEENEY: Yes.

30 MS. FREEMAN: The variance -- or the CUP is

1 approved.

2 VICE CHAIRMAN SWEENEY: Thank you, Mr. Osborne.

3 MR. OSBORNE: Thank you very much.

4 VICE CHAIRMAN SWEENEY: Very exciting.

5 MR. OSBORNE: Thank you. Go Indians.

6 MS. JARRELL: Yeah.

7 VICE CHAIRMAN SWEENEY: All right. I believe our  
8 next matter on the agenda is for the approval of the minutes  
9 from the September 13, 2017, meeting. It is my understanding  
10 that we do not have a quorum to approve those minutes, so that  
11 is being tabled until the next meeting. Heather, is that  
12 right?

13 MS. FREEMAN: Yes.

14 VICE CHAIRMAN SWEENEY: Okay. And the next meeting  
15 of the Board of Zoning Appeals will be November 8, 2017, at  
16 7:00 p.m., here. And, with that -- Do you have anything  
17 further, Heather?

18 MS. FREEMAN: No.

19 VICE CHAIRMAN SWEENEY: And with that, I will  
20 adjourn the meeting. Thank you.

21 (Whereupon, the meeting was adjourned at 7:40 p.m.)

22

23

24

25

26

27

28

29

30

1 STATE OF OHIO )  
2 COUNTY OF CUYAHOGA )

CERTIFICATE

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

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

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

17 IN WITNESS WHEREOF, I have hereunto set my hand  
18 and affixed my seal of office this 13th day of November  
19 2017.

20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
Melinda A. Melton  
Registered Professional Reporter  
Notary Public within and for the  
State of Ohio  
My Commission Expires:  
February 4, 2018