

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

Held via YouTube Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

April 13, 2022
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Board of Zoning Appeals members present:

Francis Sweeney, Vice Chair
Chris Jarrell, Member
Todd Golling, Member
James Rowe, Alternate Member
Davey Rowan, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
James O'Leary, Esq., Legal Counsel

Melton Reporting
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Concord, Ohio 44077
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1 7:00 p.m.

2 VICE CHAIR SWEENEY: Good evening, everybody.
3 Welcome to the Board of Zoning Appeals meeting for April 13th.
4 The meeting is now in session. My name is Francis Sweeney. I
5 would like to introduce the Board to you.

6 MR. GOLLING: (Phone.) Sorry. Trying to mute it.

7 VICE CHAIR SWEENEY: That will be my next
8 instruction. Please quiet your cell phones.

9 To my far left is Jim Rowe, to my immediate left is
10 Dave Rowan, to my immediate right is Chris Jarrell, and to my
11 far right is Todd Golling.

12 MS. JARRELL: Heather.

13 VICE CHAIR SWEENEY: What? Oh, and we have Heather
14 Freeman to our far, far right.

15 MS. FREEMAN: Zoning Inspector.

16 MR. ROWE: And the visiting --

17 VICE CHAIR SWEENEY: And Jim O'Leary, our visiting
18 counsel.

19 Under the advice of our -- On the advice of counsel,
20 we ask that anyone speaking tonight must be sworn in. If you
21 plan on speaking, please stand and raise your right hand.

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

23 VICE CHAIR SWEENEY: Thank you. Please be seated.
24 When presenting tonight, please come to the microphone, state
25 your name and address.

26 Heather, were the legal notices published in a
27 timely fashion?

28 MS. FREEMAN: Yes, they were.

29 VICE CHAIR SWEENEY: Thank you.

30 Tonight we have, we have two matters, two

1 conditional use permits. A three-vote majority is required to
2 approve or deny the appeal or the application. If a request
3 is denied, you have the right to file an appeal. If this is
4 the case, Heather will help you with the those details.

5 MR. ROWE: Mr. Chairman.

6 VICE CHAIR SWEENEY: Yes, sir.

7 MR. ROWE: When they come to present their case,
8 they should affirm that they were sworn in.

9 VICE CHAIR SWEENEY: Sworn. Okay, thank you.

10 MR. ROWE: Let them know.

11 VICE CHAIR SWEENEY: I think they know already.
12 Please affirm your oath when you come to the rostrum.

13 All right. For our first matter, we have a
14 Conditional Use Permit Application 2022-21, Brandon Dynes, of
15 IN9 Group LLC, is requesting a conditional use permit for a
16 car wash in accordance with Section 13.26; a conditional use
17 permit for a counter service restaurant (ice cream store) in
18 accordance with Section 13.20; and outside dining in
19 accordance with Section 13.33 for the property located on
20 Crile and Old Crile, being current permanent parcel number
21 08-A-020-0-00-048-0.

22 You may come up and present your application.

23 MR. DYNES: Thank you, Mr. Chairman. May it please
24 the Board, my name is Brandon Dynes, address: 100 7th Avenue,
25 Suite 150, Chardon, Ohio. And, yes, I have been sworn in.

26 As indicated, we're here tonight seeking a
27 conditional use permit for a tunnel car wash under
28 Section 13.26 in the Capital District. I think it's notable
29 and appropriate for me, first, to give you a little bit of
30 background.

1 You may recall that some time ago we were before the
2 Board asking for a conditional use permit for a property
3 located on Gold Court directly to the east of the Verizon
4 store. However, we are here now asking for the same
5 conditional use permit, essentially, for a different parcel.
6 The reason we're doing so is Gold Court, in our estimation
7 from our discussions with township leaders, from our
8 discussions with engineers, from our discussions with
9 neighboring businesses and from the traffic studies and other
10 things that we've done, we have determined that Gold Court is
11 not the appropriate place for a car wash.

12 We don't feel as though it's really preserving the
13 nature of what was intended for that area by the planners and
14 what they envisioned. And, in fact, we feel as though, by
15 putting it there, it also does not meet with the aesthetics
16 and some of the other businesses that are present.

17 I think it's noteworthy, in Section 13.03, the
18 township zoning regulation provides, of course, that certain
19 types of principal uses are classified as conditional uses
20 because of their uncommon or unique characteristics, frequency
21 of occurrence, large area requirements or potential for
22 significant impact on a particular district. Based upon what
23 we believe to be appropriate, we think that there is, in fact,
24 a significant impact which is somewhat negative upon that
25 district, and so we have decided to seek a conditional use
26 permit for the other property, as I mentioned.

27 Beyond that, we feel as though location on our Gold
28 Court lot would have problems with ingress/egress, concerns,
29 in our speaking with the gentleman at Holiday Inn, about
30 proficiency of providing emergency services if, in fact, cars

1 were outside stacked up on Gold Court waiting to get into a
2 car wash, et cetera.

3 We also have found that our equipment supplier, who
4 is a bit of an expert in the car wash industry, as well as our
5 design build team, Marous Brothers Construction, felt that it
6 was a little difficult to do that.

7 So I think it's important for the Board to
8 understand why we're doing what we're doing, why we sought a
9 conditional use permit previously, and why we're now moving
10 the operation to a different location.

11 It might be noteworthy for the Board to take notice
12 of the Zappy's Car Wash on Mentor Avenue that most people are
13 familiar with. As you're probably aware, that's typically
14 backed up into Mentor Avenue and causes quite a bit of
15 problems by virtue of its existence there and by virtue of the
16 sheer number of customers intending to get into a car cash.

17 Additionally, I think, in discussions with some of
18 the business leaders and what we discovered is that, in spite
19 of some of the decibels being lowered inside car washes within
20 the tunnels, just as this one is with the dryer functions, the
21 dryer function should not be directed towards another
22 business. So if, in fact, we did pursue the conditional use
23 permit on Gold Court and continued to build there, our fear
24 was, of course, that those dryers would be pointed directly at
25 some businesses, compromising Pizza Roto and others.

26 So what we have done now is, as you have in front of
27 you, you will see our site plan and what we intend to do with
28 the parcel on Old Crile Road. I think it's pretty evident
29 that the ingress and egress is off Old Crile Road. As this
30 Board is well aware, Old Crile Road is, of course, a dead-end

1 street such that there is not a lot of traffic. We find that
2 to be most appropriate for the wash. Traffic, those seeking
3 to come into the car wash, will come down Old Crile Road, make
4 a right into the car wash. There is plenty of space for
5 stacking. They will exit the car wash where those dryers I
6 mentioned that might be a little bit noisy or intrusive are
7 facing to the direct south where the roads form a Y. No
8 businesses nearby, no residence nearby, no one to be bothered
9 by it.

10 Also, if cars were, in fact, ever to be stacked onto
11 Old Crile Road, they would be parallel with traffic on 44 such
12 that their headlights would not be shining upon oncoming
13 traffic in any fashion, instead shining north and not in any
14 way being obtrusive.

15 The idea there is, of course, the character of that
16 neighborhood. There is a building next door, not much other
17 development around there other than Drug Mart, which is to the
18 south and to the east. The character is going to be
19 preserved. The Capital District allows for this conditional
20 use permit. And the Capital District, as you are aware, is
21 almost curved out, in a sense. The Capital District primarily
22 comprises of parcels on the far side, the west side of Route
23 44 and, in fact, this one being on the east is a little bit
24 simpler, a little bit easier and not, in any way, shape or
25 form going to be detrimental to further development of the
26 Capital District as it extends the other direction.

27 So in looking at some of the sections relative to
28 this, Section 13.05 provides for the General Standards
29 Applicable to All Conditional Uses. These standards propose
30 that the location be a harmonious use with all general

1 objectives, have a design that fits within the character of
2 the area, a use that is not hazardous or disturbing, will be
3 served adequately by essential public facilities, will not
4 create excessive additional requirements at public cost, will
5 not endanger the public health, safe or welfare, and is
6 designed to minimize traffic hazards and congestion. We
7 believe that our new location sufficiently does all those
8 things.

9 The intention, I will provide the Board -- I am used
10 to having to ask if I may approach but I am going to just
11 approach. This is a similar rendering of what we proposed.
12 You will see this is not going to have any neon, flashing
13 lights, any glare issues or anything that doesn't fit with the
14 character of the neighborhood. You're all well aware of what
15 Concord has intended to do and the aesthetics it's tried to
16 create with all of its buildings along Crile Road and in every
17 business corridor. We feel as though that tunnel car wash,
18 constructed in that fashion, will do just that.

19 Also, you will note that I think, as I mentioned
20 before, instead of trying to shoehorn this into a one acre or
21 a little bit more than acre lot, we've got 2.5 acres there to
22 accommodate both the car wash and the ice cream store.

23 The ice cream and gelato, under Section 13.33, we're
24 asking for restaurant counter service, which is a permitted
25 conditional use in the Capital District, Section 13.20, and
26 the outdoor dining, 13.33. This outdoor dining will be
27 contiguous to the principal building, will not occupy or
28 interfere with traffic, will be safe for pedestrians. At some
29 point, you will notice on the drawing there is a drive-thru.
30 We're debating that. That would be a different variance that

1 we would seek, if necessary.

2 You will note that the ice cream store, there is one
3 entrance that is not going to conflict with the car wash.
4 That entrance has to, of course, be approved by the County
5 Engineer. We don't expect that to be a problem. The access
6 drive, as the code requires, is far from any intersection, it
7 does not get in the way of any intersection or traffic
8 otherwise. There is no traffic impact. There are 29 spaces,
9 minimum requirement is 22, so we have met that standard as
10 well.

11 Noise, it's almost minimal from an ice cream store.
12 People sitting outside, we hope they're only talking about how
13 good the gelato and ice cream tastes. They might want to
14 scream about that. They might want to compliment the
15 beautiful car wash building you see in front of you. Other
16 than that, we don't think noise is any disruption, nor do we
17 find that to be a problem to anybody or anyone nearby.

18 By reference, you might find that the building as
19 it's drawn there is going to be likely similar to a Starbucks,
20 an East Coast Custard, a Dairy Queen, same idea. It's not a
21 huge footprint. A small outdoor seating area but, otherwise,
22 the counter service and everything is all contained therein.

23 So, again, in somewhat of a summary, if you will,
24 this location, unlike Gold Court, doesn't create a significant
25 impact whatsoever on the district. This location, of course,
26 meets with all the requirements necessary. It's harmonious.
27 As I mentioned, it's an outlier in the Capital District, if
28 you will, which is essentially carved out. There is no issue
29 with delivery of emergency services. And, of course, you
30 know, the preeminent question, we bought this parcel with this

1 knowledge, right? we bought the Gold Court parcel with this
2 knowledge. The Gold Court parcel, however, after all the
3 things I mentioned, is not a fit where we believe this one is.

4 We recognize the years of planning, the visions of
5 those folks who put this together, and it's critical. It's
6 critical to maintaining what we believe Concord should be and
7 what Concord is and what everyone expects it to be, and we
8 believe the car wash and ice cream store will do that.

9 We're people who live in Concord and contribute to
10 the community and want to contribute to the community. We
11 intend to put in a first class operation and a beautiful
12 building that people will be proud of and should be patronized
13 accordingly.

14 And with that, I am happy to answer any questions.

15 MS. JARRELL: Did you bring samples?

16 MR. DYNES: No samples yet, Ms. Jarrell. We're
17 working on those.

18 MR. GOLLING: So in between that car wash and the
19 ice cream store, is that going to be all green space in there?

20 MR. DYNES: Correct.

21 MR. GOLLING: Nice. And just for my own knowledge,
22 there is no possibility of Old Crile Road getting connected
23 to --

24 MR. DYNES: None that we are aware of or have been
25 made aware of by anybody. And I don't think -- I think that
26 would then connect too close to the intersection, if I were to
27 speculate on that.

28 MR. GOLLING: Right.

29 VICE CHAIR SWEENEY: Brandon, is the car wash, is it
30 touch?

1 MR. DYNES: It's a tunnel touch, yeah, correct.
2 It's not, for instance, like the Sunoco that's got the wand
3 that goes around. It's not one of those. It's a long tunnel,
4 touch car wash.

5 MR. ROWAN: It looks like there is a few other
6 parcels on that road. The one directly, looks like to the
7 north, is there still a building on there? I can't remember.

8 MR. DYNES: There is, yeah.

9 MR. ROWAN: Is that being used currently?

10 MR. DYNES: I believe it's used for some offices
11 during the daytime. It's the old American Heart Association
12 building. There is a buffer of woods between there and, yeah,
13 there are -- That's the only other occupation on the street
14 right now.

15 MR. ROWAN: So these dryers would be pointed to the
16 south then, I think you said.

17 MR. DYNES: Yeah, dryers are going to go to the
18 south, so they don't interfere with that building or anybody
19 else or any future uses. As you can see, the roadway there
20 puts an end to the parcel.

21 VICE CHAIR SWEENEY: Any other questions from the
22 Board?

23 MR. ROWE: No, not from me.

24 VICE CHAIR SWEENEY: Counsel?

25 MR. O'LEARY: Any detailing that you are going to do
26 on site, internal cleaning, or is this just going to be a
27 drive?

28 MR. DYNES: At this time, just the drive-thru car
29 wash, yes.

30 MR. O'LEARY: When you say "at this time" --

1 MR. DYNES: Well, we would have to come back and
2 seek a variance for that. It is not part of the plan at this
3 point in time, no. If we were to do that with a bay or
4 something else, we would be back and make that determination.
5 When I say "at this time," then that's contemplated in future
6 years down the road. The intention now is, with the approval,
7 is to move forward full steam ahead. We have the equipment.
8 We have everything. We're ready to go.

9 MR. ROWAN: I don't have any other questions at this
10 time. No other questions for me at this time.

11 VICE CHAIR SWEENEY: All right. No other questions
12 from the Board. Thank you, Mr. Dynes.

13 MR. DYNES: Thank you.

14 VICE CHAIR SWEENEY: Is there anyone here speaking
15 for or against any of the three of these conditional permit
16 use applications?

17 (No response.)

18 If not, the public meeting is closed on this, on
19 this application. The chair will entertain a motion to
20 approve the conditional permits one at a time.

21 MR. ROWE: So moved.

22 MS. JARRELL: Correct.

23 VICE CHAIR SWEENEY: Remember that one. All right.
24 Second?

25 MS. JARRELL: Second.

26 VICE CHAIR SWEENEY: All right.

27 MR. O'LEARY: You said just for the first one,
28 right?

29 VICE CHAIR SWEENEY: Yeah.

30 MR. O'LEARY: You will do each one of them.

1 VICE CHAIR SWEENEY: We will do each one in order.

2 MR. O'LEARY: I didn't hear you. That's why I
3 asked. Sorry.

4 VICE CHAIR SWEENEY: No problem. All right. So
5 discussion?

6 MS. JARRELL: We've seen this. I think that it was
7 very prudent for these folks to move to a different location
8 and it seems to make a lot of sense, their relocation, that
9 is. I have no doubt that it will be a quality development.

10 MR. ROWAN: No comments.

11 VICE CHAIR SWEENEY: Any other comments?

12 MR. ROWE: Well, I think the attention to the style
13 of the building and everything certainly lends itself greatly
14 to --

15 MR. GOLLING: I like it. It doesn't scream. I
16 mean, certainly, when a building fits in an area like, I mean,
17 I drove by Zappy's four times today and it, you know, it
18 doesn't have -- The neon certainly has its place and the
19 Patriot car wash is a little bit different, but I like the
20 design of this. It looks like it could be anything but a car
21 wash, too. So it kind of fits in.

22 MR. ROWE: Good move.

23 VICE CHAIR SWEENEY: Okay. Well, if there is no
24 more discussion, we will entertain -- or I should say that the
25 question for approval, and we will take these one at a time,
26 is the Conditional Use Permit Application 2022-21, requesting
27 a conditional use for a car wash in accordance with Section
28 13.26. A yes vote will approve the application and a no vote
29 will deny it.

30 Heather, do you want to call the vote.

1 MS. FREEMAN: Yes. Mr. Rowe?

2 MR. ROWE: Yes.

3 MS. FREEMAN: Ms. Jarrell?

4 MS. JARRELL: Yes.

5 MS. FREEMAN: Mr. Golling?

6 MR. GOLLING: Yes.

7 MS. FREEMAN: Mr. Rowan?

8 MR. ROWAN: Yes.

9 MS. FREEMAN: Mr. Sweeney?

10 VICE CHAIR SWEENEY: Yes.

11 All right. That application passes.

12 Congratulations.

13 And we will now move on to the next application,
14 which is part of section -- or part of Application 2022-21,
15 and this applies to the counter service restaurant, ice cream
16 store, in accordance with Section 13.20.

17 Heather, do you want to go ahead and take a roll?

18 MS. FREEMAN: Ms. Jarrell?

19 MS. JARRELL: Yes.

20 MS. FREEMAN: Mr. Golling?

21 MR. GOLLING: Yes.

22 MS. FREEMAN: Mr. Rowe?

23 MR. ROWE: Yes.

24 MS. FREEMAN: Mr. Rowan?

25 MR. ROWAN: Yes.

26 MS. FREEMAN: Mr. Sweeney?

27 VICE CHAIR SWEENEY: Yes.

28 That application passes, also. Congratulations.

29 We will now move on to the third and final
30 application under 2022-21 and that is outside dining in

1 accordance with Section 13.33 for this property located on
2 Crile Road.

3 Heather, can you take a roll.

4 MS. FREEMAN: Mr. Rowan?

5 MR. ROWAN: Yes.

6 MS. FREEMAN: Mr. Rowe?

7 MR. ROWE: Yes.

8 MS. FREEMAN: Ms. Jarrell?

9 MS. JARRELL: Yes.

10 MS. FREEMAN: Mr. Golling?

11 MR. GOLLING: Yes.

12 MS. FREEMAN: Mr. Sweeney?

13 VICE CHAIR SWEENEY: Yes.

14 All right. That is approved as well. Gentleman,
15 thank you. Congratulations.

16 MR. DYNES: Thanks.

17 VICE CHAIR SWEENEY: We will now move on to the
18 second conditional use permit application that is 2022-22.
19 Classic Clean Auto Wash is requesting a conditional use permit
20 for a car wash in accordance with Section 13.26 for the
21 property owned by Route 44 LLC located at the intersection of
22 Crile Road and Gold Court, being current permanent parcel
23 number 08-A-020-B-00-005-0.

24 You can approach and present your application.

25 MR. VILLINES: My name is Larry Villines. I'm the
26 vice president of Classic Automotive Group. We are here to
27 talk about the Classic Clean Auto Wash tonight. It's very
28 unfortunate that we followed you guys. Nice presentation.
29 Thank you.

30 So we have, with us tonight we have Kurt Hanson,

1 with Tally Construction Management, and John --

2 MR. O'LEARY: Before you begin --

3 MR. VILLINES: Pardon me?

4 MR. O'LEARY: Could you affirm that you were sworn
5 in?

6 MR. VILLINES: Oh, I am sorry. I've been affirmed
7 that I've been sworn in. My home address is 9960 Rosewood
8 Drive, Chardon. I am also a long-term Concord resident, just
9 moved out of here a year ago.

10 So Classic Automotive Group has made the decision to
11 diversify and build a group of car washes. We have the first
12 one that, we built it on Tyler and -- or excuse me --
13 Route 615 and Fracci Court in Mentor. We did see the problems
14 that occurred at Zappy's and designed that car wash in such a
15 way that there were no stacking issues. We have a second car
16 wash going in at Green Road in Madison Township that will be
17 completed in a month. This is our, hopefully, third car wash
18 that we will be putting in and with plans for additional car
19 washes in the future. All the same style, tunnel car washes,
20 very clean look, very pretty architecture, the curved roof to
21 give it a distinctive style. They're very, it's really a very
22 quality car wash, high quality car wash that just gives a
23 great car wash for customers.

24 We did consider a lot of things when we made our
25 decision and our professionals here will discuss that a little
26 bit further, but we did consider stacking on this site, we
27 considered noise, we considered aesthetics, we considered
28 glare. We considered all of the things and we believe that
29 our proposal meets all of those needs.

30 So, Kurt.

1 MR. HANSON: Kurt Hanson, TallyCM, 4780 South Vine
2 Lane, Perry, Ohio. I affirm that I was sworn in.

3 VICE CHAIR SWEENEY: What's your home address?

4 MR. HANSON: Yes, that was the home address.

5 VICE CHAIR SWEENEY: Oh, you stated it, okay.

6 MR. HANSON: Yeah. As we see up there on the screen
7 is a proposed rendering of the car wash on the specific site.
8 You see in the background is the existing Holiday Inn Express.
9 As Larry kind of mentioned before that you can see, looking at
10 this, this is modeled after the car wash located in Mentor.
11 This is also the exact duplicate of the one that is being
12 currently built in Madison right now on Green Road.

13 The construction, as you can see, of the building is
14 a steel frame with masonry on the lower end and on the column
15 features supporting the canopy, and then the rest of it has a
16 composite metal panel system. The colors, having the white
17 with the red is exactly kind of the prototype that we've been
18 using on the other two car washes, carrying that theme along
19 so you can see when you drive past one that you will know that
20 it is a Classic Clean Car Wash.

21 Oh, this works. All right. Now you see up on the
22 screen, that is, obviously, the existing site as it stands
23 today. I'll do just kind of a quick outline of the new
24 proposed footprint of the car wash on that plan. There you
25 see is the new, basically, the new site as is with the car
26 wash showing coming off of Gold Court into the site, at the
27 far east end of the site coming into the three, basically, pay
28 station lanes. You basically come through there and,
29 obviously, once you get through the pay station lanes, you go
30 down into a single file into the car cash tunnel.

1 With what's shown up there on there currently, right
2 now, from the pay stations to the, kind of, where it's shown
3 there is approximately 24 cars there with, there is room to
4 stack additional, probably, two to three cars from that end
5 line to the curb cut, basically, at that point. Also, too, at
6 any given time, there will be cars lined up after they go
7 through the pay station, lined up from that point into the
8 tunnel as well. And then as they go through the tunnel,
9 basically, going from west to east, they basically enter out
10 the east end of the tunnel and then, at that point, you have
11 the option of either turning at that point, basically, heading
12 back north to turn to exit the site or you can go down to the
13 south to the vacuum station which you see there along the
14 south property line as well. Also, at that point, too, there
15 are some parking spaces for employees and staff on the south
16 property line and also up against the building as well, as you
17 see.

18 Kind of going through the thing, obviously, for
19 13.26, obviously, we have, feel that we have complied with the
20 A, B and C guidelines and, obviously, our stacking as well
21 basically meets the minimum requirements.

22 Go through there as well. That's kind of the quick
23 proposed of the landscape plan for the site. Obviously, it's
24 going to be fully landscaped along Gold Court and along Crile
25 Road and throughout the site as well per the criteria of the,
26 for that zoning district.

27 That's kind of a quick little, kind of, perimeter as
28 well, an overall, basically, of our site lighting, photometric
29 plan of, for the site kind of showing where the, all the
30 poles, basically, all the poles would be basically 14 foot

1 height that complies with the guidelines of the area as well.
2 That's it.

3 MR. URBANICK: John Urbanick, Rockway Civil, civil
4 engineering the project. And I have been sworn in prior.
5 10191 Speary Road, Kirtland.

6 I just wanted to add, you know, from a site
7 engineering standpoint, the two items we typically deal with
8 or attend these meetings for or get involved early on in the
9 site planning discussions are traffic and drainage. Those are
10 always, no matter what community we do work in, those are
11 always issues we have to, have to address and think about
12 proactively. The drainage on this particular lot is well
13 thought out. It was installed as part of the overall
14 development plan, so we don't foresee that being an issue.
15 We've already had discussion with Steve Hauser over at the
16 county and, fortunately, for this parcel that doesn't appear
17 to be a major issue, abiding by all the current county and
18 township regulations.

19 From a traffic standpoint, we recognize, with
20 regards to these car washes, we've been involved in probably
21 12 to 15 of these over the last, you know, six or eight years.
22 Architects, developers, car wash operators, communities,
23 everyone's concerns are always traffic. And, fortunately,
24 this site was arranged at a location which permits -- Let me
25 take one step back. We're always planning for the four or
26 five days a year when it's sunny in January or February and
27 everyone wants to get in there and wash their car. We what we
28 don't want to ever do, no matter what kind of engineering we
29 do on a site, is push the site's traffic issue out into the
30 public road because one, it's one thing to deal with managing

1 site -- or managing traffic on our site. It's another thing
2 once that traffic starts leaking is out onto the road because
3 then it's the municipality, in this case the township's,
4 issue.

5 So this site is advantageous in the sense that
6 people, everyone who comes to this site has to go down Crile
7 Road and they're either coming from the north or from the
8 south. The location of the three drive lanes or the three pay
9 station lanes where they're at and the location of the pay
10 station is near the front of the site so that anyone coming up
11 and down Crile Road, it is very common for these car wash
12 users to take a peek. Ninety-nine times out of a hundred, the
13 activity level at the site meets their needs and they go in
14 and get the car washed. If that one time out of a hundred
15 they look and they see eight cars deep in all three pay lanes,
16 they have the ability to continue on down Crile Road or, if
17 they've already turned onto Gold Court and they make that
18 decision, they simply go down to the cul-de-sac, turn around
19 at the cul-de-sac and exit back out onto Crile Road.

20 We don't want that to happen because we want all
21 those customers coming into the site but, from a traffic
22 standpoint, that decision is usually made by the person
23 wanting the car wash as they're approaching the site. So I
24 think the location of the three lanes approaching the pay
25 station and the location of that being so close to the front
26 of the site and very visible from Crile in both directions is
27 advantageous to this site, along with the fact, like Kurt
28 said, that it checks all the boxes in terms of far exceeding
29 -- I think it's three per lane. I think we're up to eight per
30 lane.

1 So the ordinances and the design guidelines are all
2 met, I believe. I just wanted to add that, on top of that,
3 the location of that is such that people coming to use this
4 going up and down Crile Road are at an advantage where they
5 can make that decision without necessarily having to visit the
6 site and get stuck on the site. So if there are any specifics
7 regarding traffic or regarding drainage or anything civil
8 related, I would be more than happy to answer your questions.

9 VICE CHAIR SWEENEY: Thank you.

10 MR. ROWE: Thank you.

11 MR. HANSON: Just one more thing, too, I wanted to
12 add is we do have a copy of the traffic survey report we've
13 had done for the project. Obviously, Heather has that and we
14 have a hard copy as well. So we've had the traffic
15 engineering done on the whole property.

16 MS. JARRELL: Can you give us the synopsis version?

17 MR. GOLLING: What did it say?

18 MR. HANSON: The --

19 MR. VILLINES: Go ahead.

20 MR. HANSON: So we had to get the report. We go
21 through the detail, obviously, with the things is they came
22 back and, based upon our current use and layouts, that the
23 traffic study engineer felt that what we're providing,
24 proposing on the property will not basically affect the area
25 at all, that the current area is designed to handle the
26 capacity of the car wash.

27 MR. ROWAN: I had a question on traffic. So it
28 looks like you have the entrance, you turn right immediately
29 to go to the pay lanes, but it looks like you can also go
30 straight. Would that be for people who just wanted to use the

1 vacuum?

2 MR. HANSON: Can you pull the site plan back up?
3 There we go. Go back.

4 MR. ROWAN: So like, yeah, you would go, it looks
5 like you would go south and then you would either make that
6 immediate right to get a car wash or you could keep going
7 straight, correct?

8 MR. HANSON: Yeah. So, basically, yeah, for the
9 majority of people coming in, obviously, customers coming for
10 a car wash, they will obviously come in, turn right and get
11 into the lanes. They have the, obviously, if it's an
12 employee, they'll obviously come through and, obviously, like
13 I said, there is parking spaces along the south for the
14 customer -- for the employees and also along the building as
15 well. Obviously, there are people with the option, too, if
16 they just want to come in and use the vacuums, they can come
17 in, come straight to the site. Obviously, the main thing,
18 most often we see people come in and get their car washed and,
19 once they get the car washed, at that point then they would go
20 out, vacuum their car and then leave the site after that.

21 MR. ROWAN: So would they -- I'm trying to see. Is
22 there a pay station? Do you pay for the vacuums?

23 MR. HANSON: The vacuums are free.

24 MR. ROWAN: Okay. And then has there been any
25 discussion with Holiday Inn as far as do they have any
26 concerns? Is that -- I don't know if that's, if that's an
27 issue.

28 VICE CHAIR SWEENEY: They got notice?

29 MS. FREEMAN: They were notified of the request, as
30 we notified all of the adjacent property owners. They did not

1 reach out to me in any respect, so I don't know.

2 VICE CHAIR SWEENEY: Okay.

3 MR. GOLLING: Well, yeah, that was my question. As
4 I am looking at this, you know, what was Holiday Inn's
5 feelings about 12 hours of dryers blowing at their property
6 and their guests on the property? I don't think there is any
7 rooms on the end. I think that's just all fire exits on the
8 Holiday Inn. But what did they say?

9 MS. JARRELL: Did you talk to them?

10 MR. VILLINES: We have not.

11 MS. JARRELL: You have not talked to them?

12 MR. VILLINES: But they were notified and they
13 didn't bring anything up.

14 VICE CHAIR SWEENEY: Right. They were given notice,
15 right?

16 MS. FREEMAN: Yeah. We notified them per the
17 Auditor's -- I would have to look and see what address.

18 MR. GOLLING: Well, I don't know. Are they here?

19 MS. FREEMAN: We notified the legal entity, the
20 owner of the property itself, which --

21 VICE CHAIR SWEENEY: All right. Well, they got
22 notice.

23 MS. JARRELL: So, I mean, on crazy busy days, do you
24 have a forecast of how many cars you think you are going to
25 wash in a day?

26 MR. VILLINES: We don't have a forecast for what
27 we'll wash here but we know what we've done at our other
28 location.

29 MR. GOLLING: What does the one up by the
30 dealerships on Center Street, like on a super crazy get-the-

1 salt-off day?

2 MR. VILLINES: So the most cars that we've ever
3 washed in an hour is 108. We have the ability to stack 30, 30
4 to 32 on the lot, so it's plenty of time to get through. As
5 John said, it tends to be self-regulating. If you're busy,
6 then you will be -- people will drive by and come back at a
7 later time because we encourage our people who use our car
8 wash to buy memberships. The memberships are good at any of
9 our locations whether you're in Mentor, Madison, hopefully
10 Concord as well.

11 To answer your question specifically, the most cars
12 we ever washed in a one day was, I think it's 1,058 and it was
13 108 in an hour. That was on February 1 of this year.

14 MS. JARRELL: What are, what are the hours?

15 MR. VILLINES: They're 8 to 8.

16 MS. JARRELL: Eight to eight?

17 MR. VILLINES: Yes.

18 MS. JARRELL: I am surprised none of the adjacent
19 businesses are here, you know, hearing the blowers going and
20 going. I find it very interesting that you have a traffic
21 study done. Did the traffic study take 1,058 cars in a day
22 into consideration? Because I grew up in the car wash
23 business and I know the traffic that is created. I also go to
24 the Zappy's and it really irks me when I cannot get in there
25 to get a car wash.

26 MR. VILLINES: Right.

27 MS. JARRELL: So it is relentless, as you know. A
28 hundred and eight cars an hour is crazy.

29 MR. VILLINES: That's one time ever. Our normal --

30 MS. JARRELL: Well, we know how busy it gets. There

1 is a lot of salt going on in Cleveland, Ohio.

2 MR. VILLINES: Correct.

3 MS. JARRELL: And I am really surprised the other
4 businesses aren't here for the noise, aren't here for the
5 traffic. I don't understand the traffic study. Has anybody
6 seen Chick-Fil-A? If you see that all lined up, it doesn't
7 stop anybody from going in. There is no way, there is no
8 doubt in my mind that, on these crazy days, that traffic is
9 going to be backed up onto that street, no doubt in my mind.

10 MR. VILLINES: I think, if you looked at the math,
11 if we have the ability to stack 30 cars, it's around 17 to 20
12 minutes to get from the, into the traffic, into the driveway,
13 into the mouth, into the beginning of the tunnel.

14 MS. JARRELL: People --

15 MR. VILLINES: Because it's a very high speed car
16 wash.

17 MS. JARRELL: When people need their car washed,
18 they're going to get in line. And it's, just because you have
19 a substantial amount of stacking doesn't mean that it's not
20 going to back out onto the street. And, you know, we have
21 several businesses over there and Crile is pretty busy and
22 you've got a hotel there, plus we have all the noise. And I
23 just, I just, in my opinion, I don't think it's the best
24 location. And, in my opinion, I think that the -- It's very
25 nice but I don't think the aesthetic belongs in Concord.

26 MR. ROWAN: I am going to disagree with a lot of
27 that. I think the stacking is a good thing. I think like,
28 for me personally, if I see it backed up, I am not stopping.
29 Even if there is maybe six cars there, I am a guy that likes
30 to get in when it's not busy, get my car washed and get out.

1 I don't know if it's our job to approve the
2 aesthetics or not.

3 MR. GOLLING: It is.

4 MS. JARRELL: It's about being harmonious to the
5 community.

6 MR. GOLLING: Harmonious. There is also the will
7 not be hazardous or disturbing to neighboring usage. I mean,
8 if you count noise into that, I guess --

9 MR. ROWAN: There is already a car wash over there
10 in the area as well over at the Sunoco, the Shell.

11 MR. VILLINES: The Sunoco has a car wash.

12 MR. GOLLING: Right, yeah.

13 MR. ROWAN: So there already is a car wash and we
14 approved a car wash, if I am not mistaken, before in this
15 general area.

16 MR. GOLLING: Right across the street.

17 VICE CHAIR SWEENEY: Yeah.

18 MR. ROWAN: No, I'm just saying, previously, there
19 was a car wash going in, if I am not mistaken.

20 MR. GOLLING: Yeah, that was this one.

21 MR. ROWAN: Right.

22 MR. GOLLING: So it's the Verizon store.

23 MR. ROWAN: Right.

24 MR. GOLLING: And then like, it would be right
25 adjacent to Roto but catty-corner to Chipotle on that vacant
26 lot of land. It would be across the street.

27 MR. ROWAN: So it's in the same general vicinity.

28 MR. GOLLING: That's where the other one was.

29 MR. ROWAN: This business district. So I guess, for
30 me, it's, we're not going that far from where it was to say

1 like, oh, we're not going to approve this one or approve this
2 one versus a different one that we approved. And, again, if
3 the businesses had been notified and chose not to respond, to
4 me, that says either they don't care or they don't have an
5 opinion. And far as I know, there is nobody -- We don't know
6 yet if anyone is speaking for or against just from the public.

7 MR. GOLLING: Right, yeah, we don't know.

8 MR. ROWAN: So we definitely want to take that into
9 consideration. But given this district and the way that the
10 Sunoco looks, I mean, it's got a very similar aesthetic to me
11 as far as the awning, the colors, things like that. So, I
12 mean, I guess that's kind of my view on it. It's like I,
13 personally, don't have a problem with the location. Again,
14 being a business district and who knows how busy it will be if
15 we have all these car washes. So --

16 MR. GOLLING: Yeah, but two of them within, what --
17 I don't know how far that is -- a tenth of a mile.

18 MR. ROWAN: Maybe three.

19 MR. GOLLING: Three.

20 MR. ROWAN: Three within a tenth of a mile.

21 MS. JARRELL: That's a lot.

22 MR. GOLLING: Well, I really don't consider the
23 Sunoco one. That's a, that's kind of a --

24 MS. JARRELL: Quickie.

25 MR. GOLLING: -- quickie if you get the gas and you
26 buy the, buy the car wash there. I've probably been through
27 that one like five times total. It's got the garage doors
28 that close.

29 MR. ROWAN: Right.

30 MR. GOLLING: I mean, when you're committed to that

1 one, you're stuck and people generally --

2 MR. ROWAN: Oh, yeah, and that one gets back up.
3 That one gets backed up pretty far.

4 MS. JARRELL: Right. It's got that little driveway
5 around back.

6 MR. ROWAN: Even that, yeah, that will get back up
7 and once you're in there, you're trapped.

8 MR. GOLLING: I think the other one, the other car
9 wash that we may have heard, that was the Sheetz thing and
10 Sheetz is no longer a thing as of last week.

11 MR. ROWAN: Well, for now.

12 MS. JARRELL: Oh, they're not?

13 VICE CHAIR SWEENEY: What?

14 MR. GOLLING: During the trustees -- not the
15 trustees, the zoning, yeah.

16 VICE CHAIR SWEENEY: Anyway, we can discuss that
17 later.

18 MR. VILLINES: If I could say one thing about the
19 dryers, because every car wash is different, our dryer, our
20 main dryer is the third-to-the-last item in the tunnel. So
21 you go through the rinse, the wash -- the pre-rinse, the wash,
22 the scrubbing, and then the next thing you get to is the
23 blowers and they're third back from the end of the tunnel.
24 Then we have a product called a Dry and Shine, which is a
25 roller that rolls across the hood of the car, down the, and
26 then down the sides to do, basically, it's a nice chamois.

27 MR. GOLLING: Like a chamois.

28 MR. VILLINES: Correct. And then, after that, then
29 you have the tire cleaner. So really the dryer is three back
30 from the --

1 MR. GOLLING: What's the difference between a dryer
2 and a blower?

3 MR. VILLINES: I don't think there is a difference.
4 It's just a blower is a form of a dryer.

5 MR. GOLLING: But they're all blowers. They all
6 blow.

7 MR. VILLINES: Yeah, the dryer is a blower and
8 that's three, that the third back. So you have the dryer, the
9 blower; then you have the Dry and Shine; then you have the
10 tire clean; and then you leave the, exit the tunnel. And in
11 our car wash, we have some young people who will clean off
12 your mirrors and your, dry off the windshield for you as well
13 as you exit before you go to the vac stations.

14 MR. GOLLING: Got it.

15 MS. JARRELL: Do you have possession of the
16 property? Are you under contract?

17 MR. VILLINES: We're under contract.

18 MS. JARRELL: To purchase?

19 MR. VILLINES: Yes.

20 MS. JARRELL: And when is that supposed to take
21 place?

22 MR. VILLINES: We've entered into -- We're waiting
23 to get zoning approval. And then once we have zoning
24 approval, we will close on the transaction.

25 MR. GOLLING: So it's conditional?

26 MR. VILLINES: Yes, but we have a valid purchase
27 agreement in place.

28 MR. GOLLING: Gotcha.

29 MR. VILLINES: It's not a "if can," this is the real
30 deal.

1 MR. GOLLING: It's not like a lease deal.

2 MR. VILLINES: No, sir.

3 MR. GOLLING: Gotcha.

4 MR. VILLINES: No, it's not.

5 MR. GOLLING: This is where, this was where Crile
6 Hardware used to be.

7 MR. VILLINES: I believe so, yes.

8 MR. GOLLING: Got it.

9 MR. VILLINES: You know, I had the hardest time
10 remembering, when they were selling this, where Crile Hardware
11 used to be. Once it moved, I forgot.

12 MR. GOLLING: Yeah. It's hard to picture it there.

13 MS. JARRELL: When did you guys start planning this?

14 MR. VILLINES: Planning the Concord car wash?

15 MS. JARRELL: Uh-huh.

16 MR. VILLINES: We started talking about it this
17 summer. Actually, we talked about it a year ago, drove out
18 and saw the sign that said there was a car wash coming soon on
19 the property across the street in Gold Court, held off.
20 Nothing happened. And so then we made the decision to go
21 ahead and move forward with this one.

22 MS. JARRELL: Did you know that there was another
23 one being contemplated?

24 MR. VILLINES: Only after we submitted our
25 application or started to put our application together and put
26 the property deal together.

27 MR. ROWAN: From an aesthetics standpoint, how tied
28 are you to the specific look? I mean, obviously, you are
29 trying to maintain like a consistent marketing brand look. I
30 guess, how tied to that or is there any wiggle room, if that's

1 an issue?

2 MR. VILLINES: I would say there is always wiggle
3 room, of course. Some of the communities that we're looking
4 at have asked for certain adaptations to meet with their look
5 of the area that they want it to look like, so we've been
6 willing to accommodate that. So, of course, we will
7 accommodate suggestions.

8 MR. ROWAN: I guess, from the, if we're talking
9 about noise, I guess, what -- I am just, kind of, for
10 discussion, if this were, you know, flipped in a 180, does
11 that change it as far as -- Obviously, that's not something
12 we're going to tell you you have to do right now but if that
13 were reversed and your blowers or dryers were going out
14 towards 44, does that change it for the Board? Does that
15 change, kind of, like how you feel about it in that aspect,
16 from a noise aspect?

17 MR. GOLLING: Well, I mean, the -- I guess it's kind
18 of like a trumpet. I'm guessing, if you flip it around, I
19 guess Holiday Inn isn't too worried about it from that aspect,
20 but the traffic is the other half of that equation.

21 MR. ROWAN: Right.

22 MR. GOLLING: So if it's flipped around isn't going
23 to --

24 MR. ROWAN: Well, right, yeah, I agree with that.

25 MR. GOLLING: I mean, I don't imagine it's as easy
26 as picking it up and flipping it.

27 MR. ROWAN: No, no, I would agree. I am just trying
28 to think of like what changes would be needed to make this
29 something that we would want to approve, if that makes sense.
30 If there are reasons not to, what would make you change your

1 mind?

2 MR. GOLLING: I haven't made my mind up yet.

3 MR. ROWAN: Well, I'm just saying. I'm saying if
4 there were, if we're trying to decide if these were issues,
5 that we are saying traffic is an issue, so we don't know if we
6 can do that. I don't know if that -- if they even have the
7 space to put in more stacking. That would be the biggest
8 issue.

9 MS. JARRELL: I personally don't, I am not crazy
10 about the aesthetics. Something seriously would have to be
11 done there. The traffic is an objection that I don't think we
12 can combat. And just having three car washes right there, I
13 don't think that's in the best interest of Concord either.

14 MR. GOLLING: We're not in the discussion phase yet
15 but if we're going to have that --

16 VICE CHAIR SWEENEY: So combining the two.

17 MR. GOLLING: We're just questioning him right now.

18 MR. ROWAN: We need to, yeah.

19 MR. URBANICK: From the -- The question was asked
20 about planning, when was the planning started? Obviously, it
21 was quite some time ago, but the planning took a next step
22 with some preliminary communication with the township and the
23 direction was given towards 13.26, which, you know, clarified
24 that car wash, we knew that there would have to be a
25 conditional use permit obtained to develop the parcel for this
26 use but it specifically references A, B and C in that section,
27 and the goal is to come up with a plan that clearly met A, B
28 and C. And not only do I feel that they meet A, B and C but
29 they far exceed A, B and C.

30 So, you know, 13.26 specifically says car washes

1 shall be conditionally permitted in the BX in compliance with
2 the following and, again, those three specifics items. Now, I
3 know there is multiple other things that have to be taken into
4 consideration but those are, those are within the ordinance,
5 the backbone of the specifics relative to the conditional use.

6 As it relates to the aesthetics of the building,
7 it's our understanding also, based upon that other meeting, is
8 there is a, does the zoning or -- I am sorry -- the design
9 review board within the Zoning Commission specifically look at
10 those items, landscaping, building architecture and things
11 like that? It was our understanding that this was more
12 specific to the use, and the concerns about the look of the
13 building were next in line, dependent upon, you know, whether
14 the conditional use, based on 13.26 A, B, and C was satisfied.

15 So that was what, that was, from a planning
16 standpoint, those conversations have been had. We didn't come
17 in blind. We reached out to the township, you know, before
18 coming to here.

19 MS. JARRELL: Well, we're just going by 13.05, the
20 General Standards Applicable to All Conditional Use Permits.

21 MR. URBANICK: Correct. And the harmonious, I
22 think, refers to the use because the township had -- I mean,
23 again, our understanding was, based upon the communications we
24 got with this board was, or this conditional use -- And please
25 correct me if I am wrong. And I am glad counsel is here to
26 clarify because that would be advantageous for us, as the
27 applicant. We need to make sure we properly understand. But
28 it was our understanding that the aesthetic of the building
29 was the next board's discussion and we are going to make a
30 different presentation for that board. But we wanted to make

1 sure, with the rendering and with the site layout, that we,
2 you know, we presented a good representation of what the goal,
3 the goal was.

4 So, yes, I do understand that there is -- That's why
5 I was referencing those other items within the ordinance and
6 that's the list. And the use would be, you know, the use of a
7 car wash --

8 MS. JARRELL: It's not just the use though. I mean,
9 A is, you know, being harmonious with general objectives. B
10 is will be designed, constructed, operated and maintained so
11 as to be harmonious and appropriate in appearance with the
12 existing and intended character of the general vicinity. So
13 it becomes broader.

14 MR. URBANICK: Correct. But the township has a
15 secondary means in place. Once the conditional use permit is
16 granted, we don't go apply for a building permit.

17 MS. JARRELL: We are just going by what our job is.

18 MR. URBANICK: No, I understand. I am just
19 saying -- correct me if I am wrong -- the township does have
20 the next steps specifically in place to evaluate those items
21 as well, correct?

22 MS. JARRELL: Do we still do site plan reviews or
23 has that been --

24 MR. GOLLING: The Zoning Board does that.

25 MS. JARRELL: The Zoning Commission.

26 MR. GOLLING: So you would go in front of Zoning
27 and they say, "I don't like these flowers."

28 MR. URBANICK: Correct, correct.

29 MS. JARRELL: But we used to do that as well.

30 MS. FREEMAN: Correct.

1 MS. JARRELL: Right.

2 MR. GOLLING: Yeah. We are just at 13.05 is where
3 we are.

4 MR. URBANICK: And then there were questions brought
5 up about the traffic and, proactively, we involved the traffic
6 engineer on all these projects. So the traffic report
7 specifically says that their recommendations were a two-lane
8 drive, a two-lane drive apron as far from Crile Road as
9 possible.

10 MS. JARRELL: I don't think the traffic report in
11 this particular case is the be-all/end-all answer.

12 MR. GOLLING: I am missing the traffic report.

13 MS. JARRELL: I don't -- Yeah, we don't have the
14 traffic report. I have lived this business. I don't buy it.

15 MR. URBANICK: Gotcha.

16 MS. JARRELL: And there is nothing in front of us.

17 MR. URBANICK: Okay.

18 VICE CHAIR SWEENEY: Will this be -- Will there be
19 an attendant?

20 MR. VILLINES: Yes, it is. There are a minimum of
21 three people working at any one time, up to five.

22 VICE CHAIR SWEENEY: This is only open from 8 a.m.
23 to 8 p.m.?

24 MR. VILLINES: Yes.

25 VICE CHAIR SWEENEY: Interesting.

26 MR. GOLLING: Zappy's is the same way. It's just
27 the noise, the noise thing with them. So, I mean, it just
28 seems like kind of appropriate operating hours, I guess.

29 VICE CHAIR SWEENEY: Yeah. The stacking issue, I
30 think it's adequately addressed. I think that people tend to

1 self-regulate when they approach, not everybody. And this has
2 been like the catch issue since COVID. Everybody is going out
3 to pick up food and they're going through drive-thrus. And
4 I've got to tell you, I don't think there will ever be any
5 issue at this, with this location as bad as there is with
6 Chipotle on any given day between 6:00 and 7:00. I mean, it's
7 a nightmare over there.

8 And this board granted that stacking, the stacking
9 portion of their application and we couldn't have foreseen
10 what was going to happen. But it is a huge problem and I
11 think that that should be addressed before anything else.
12 But, anyway, as I see it on the stacking issue, I mean, you
13 have three lanes but they're funneled into one.

14 MR. VILLINES: Right.

15 VICE CHAIR SWEENEY: Each pay and then each go as
16 the --

17 MR. VILLINES: Correct.

18 VICE CHAIR SWEENEY: -- as the gate is lifted.

19 MR. VILLINES: So there's a gate that drops down and
20 then it raises up when it's your turn after you've paid.

21 VICE CHAIR SWEENEY: Right. So you could have,
22 what, 32 cars in there without even getting out into the
23 entrance.

24 MR. VILLINES: Correct.

25 VICE CHAIR SWEENEY: Not to mention Gold Court.

26 MR. URBANICK: Right. So we would never, we were
27 not counting Gold Court. There are 24 cars shown from the, on
28 the rendering and then there would be ability to stack a
29 couple more without getting onto Gold Court, onto the apron.
30 Then we have the ability to stack four more going into the, to

1 the tunnel itself after you've left the pay station, go around
2 the corner. And then, of course, there could be three to four
3 cars in the tunnel at any one time. But in real life, that
4 happens about once in a blue moon. Most of the time there is
5 one to two cars in the tunnel.

6 VICE CHAIR SWEENEY: Yeah. Doesn't Classic have --

7 MR. ROWE: You'd like to see --

8 MR. VILLINES: Pardon me?

9 MR. ROWE: I said, you'd like to see it happen more
10 times.

11 MR. VILLINES: Well, we want our cake and eat it,
12 too, so we really want it to be a good experience for our
13 consumers that drive through, as well as be sufficiently busy.
14 But we're really not, we're not interested in having people
15 stacked up. It's a bad experience and that doesn't behoove
16 any of us.

17 VICE CHAIR SWEENEY: Yeah. Does Classic still,
18 doesn't Classic offer free car washes for its owners?

19 MR. VILLINES: With service, yes.

20 VICE CHAIR SWEENEY: With service checks?

21 MR. VILLINES: Yes.

22 VICE CHAIR SWEENEY: All right. I don't have any
23 other questions. Anybody else?

24 MR. ROWAN: No.

25 VICE CHAIR SWEENEY: All right.

26 MR. URBANICK: Sorry. Can we just get one more
27 point of clarity from the board?

28 VICE CHAIR SWEENEY: Sure.

29 MR. URBANICK: There has been mention a couple times
30 about concern about so many car washes within a small area. I

1 just want clarification from counsel. Is that, is that part
2 of what should go into the decision the Board is making? Is
3 that something this Board should be concerned with or is it --

4 MR. O'LEARY: Yes, absolutely, because it goes back
5 to the traffic and the stacking. And so it's fully
6 appropriate for them to take into account the number of cars
7 that would potentially come through in a time period,
8 absolutely.

9 MR. URBANICK: Correct. So, no, not relative --
10 I am asking them -- Maybe I didn't say it clear enough. Not
11 relative to the traffic and the stacking. Let's say this was
12 on a five acre site and there was, this was the third within a
13 third of a mile. Is it this Board's job to make a decision
14 based on, well, there is only so many car washes available,
15 you know, this community can only support so many car washes?
16 Is that something they should be taking into consideration
17 here?

18 MS. JARRELL: Have you read 13.05?

19 MR. GOLLING: That defines harmonious, to me.

20 MR. O'LEARY: Yeah, I think the --

21 VICE CHAIR SWEENEY: Well, that's an interpretation
22 of "harmonious."

23 MR. GOLLING: I stand corrected.

24 MR. O'LEARY: What the members are reflecting is
25 that the Board of Zoning Appeals has more than just the
26 responsibility of looking at that specific request. They're
27 looking at the overall, and that's where 13.05 comes into
28 play. Now, them picking colors and -- that's outside of their
29 range. But as it pertains to how it's going to look, how it's
30 going to fit into a particular area, that is absolutely

1 something that they would take into account.

2 MR. URBANICK: Correct. But in terms, I guess,
3 maybe there is not an answer but is it the Board's job to
4 determine how many car washes Crile Road can support?

5 MR. O'LEARY: Well, in and of itself, I don't think
6 that that's what they're trying to do. What they're trying to
7 do is avoid what the chairman talked about, Chipotle, which
8 is, when they approved that, they never envisioned that the
9 stacking was going to be that kind of a problem. So because
10 of that experience, the tendency is to now be more critical in
11 that particular area because of the trouble that they've had
12 before.

13 MR. URBANICK: Okay. Thank you.

14 VICE CHAIR SWEENEY: In other words, counsel, we
15 can't say, "There is too many car washes. You're not getting
16 that." We can't say that.

17 MR. O'LEARY: No.

18 VICE CHAIR SWEENEY: Okay. No one can say that.

19 MR. O'LEARY: No.

20 VICE CHAIR SWEENEY: That's not our job.

21 MR. GOLLING: That's correct.

22 VICE CHAIR SWEENEY: Okay.

23 MR. O'LEARY: You take each application on its face.
24 Now, it doesn't mean that you don't take into account the
25 surrounding issues that it presents, like the Holiday Inn
26 Express. However, as they were noticed, they had every
27 opportunity to come and voice any concerns that they had, and
28 they are not here. So take that for what it's worth.

29 VICE CHAIR SWEENEY: All right. Do you want to --

30 MR. GOLLING: I have no more questions.

1 VICE CHAIR SWEENEY: If there is more questions, why
2 don't we, if we want to continue discussion, let's let the
3 gentlemen sit down.

4 MS. FREEMAN: Mr. Chairman, do you mind if I ask a
5 question real quick?

6 VICE CHAIR SWEENEY: Sure, absolutely.

7 MS. FREEMAN: I had a question about over by the
8 vacuums. When people, patrons are using those, are there
9 trash cans out there for them?

10 MR. VILLINES: Yes, yes, there are.

11 MR. GOLLING: So just forgive my ignorance. When
12 you say "free," do you have to -- you go through the car wash
13 first and then you can use it or can any old Joe come in and
14 use it?

15 MR. VILLINES: We would hope that you were, had used
16 the car wash but there is nothing to keep you from doing it.

17 MR. GOLLING: Okay.

18 MR. VILLINES: Not at all. I mean, you can drive
19 in, use the vacuums and you can leave and there is nobody who
20 would say anything about it.

21 MR. GOLLING: Gotcha.

22 MR. O'LEARY: Now, will there be, to take on
23 Heather's point, because this came up at the last BZA meeting,
24 is cleanliness and this whole issue of you're going to have
25 all these rubbish cans out in this area where they're
26 vacuuming. Is there an employee that's specifically
27 responsible to do that on an ongoing basis?

28 MR. VILLINES: Absolutely, yes.

29 MR. O'LEARY: So you can assure us that we're not
30 going to have papers flying over to Holiday Inn and other

1 places?

2 MR. VILLINES: Short of a 60 mile and hour wind
3 storm?

4 MR. O'LEARY: Well, careful.

5 MR. VILLINES: I can assure you of that.

6 VICE CHAIR SWEENEY: Yeah, really.

7 MS. FREEMAN: Are the vacuums turned off then after
8 hours, after 8 p.m.?

9 MR. VILLINES: Yes, they are.

10 MS. FREEMAN: Okay.

11 MR. VILLINES: Yes, they're turned off after hours.

12 And the other thing I would mention is the vacuum
13 system is inside, so there is no noise from the vacuum system
14 in and of itself. So you won't hear this high shriek of the
15 vacuum because we purposely put the main system inside so that
16 all you really hear is what you might hear at home using a
17 normal vacuum but there is not a big industrial sounding
18 vacuum outside disturbing anybody.

19 MR. GOLLING: Got it.

20 VICE CHAIR SWEENEY: Well, it's not even in
21 operation when the, when the patrons are asleep in the hotel.

22 MR. VILLINES: Correct, yes, that's correct.

23 VICE CHAIR SWEENEY: From what I can gather.

24 MR. VILLINES: Yes. Do you guys have any other
25 questions?

26 VICE CHAIR SWEENEY: Thank you, gentlemen.

27 MR. GOLLING: Unless you have ice cream.

28 MR. VILLINES: That's the last guys.

29 VICE CHAIR SWEENEY: Is there anyone speaking for or
30 against this application who would wish to -- Please approach,

1 affirm your oath, and please state your name and your address.

2 MR. NEKIC: My name is John Nekic, 6814 Edinboro
3 Court, Concord, Ohio.

4 THE REPORTER: Can you speak up, please?

5 VICE CHAIR SWEENEY: Yes, can you?

6 MR. NEKIC: Sure. John Nekic, 6814 Concord -- I'm
7 sorry -- Edinboro Court, Concord Township, Ohio. Yes, I did,
8 I was affirmed.

9 First of all, I live here. I am a resident of
10 Concord Township, and this is something I've wanted to do for
11 a number of years. So these gentlemen, as they adequately
12 presented all the positive aspects of their project, that's
13 where I was two years ago. I bought the piece of land behind
14 Verizon across from Holiday Inn Express. I was granted a
15 conditional use for a car wash. And over the past year, I
16 took a different approach.

17 MS. JARRELL: Could you speak up?

18 MR. NEKIC: Yes.

19 MS. JARRELL: Thank you.

20 VICE CHAIR SWEENEY: Try and speak up a little bit.

21 MR. NEKIC: Yes. I am from here. So I took a very
22 different approach. I spoke to Holiday Inn Express. I spoke
23 to Verizon. I spoke to a lot of people in the community about
24 I'm excited about my car wash. Unfortunately, a lot of them
25 were not because of the location. So all the positive
26 attributes you guys said, like stacking, all that, I had the
27 same issue two years ago. I was very positive. But the more
28 I thought about it, the more I saw Chipotle and the more I saw
29 Zappy's, it's going to be a nuisance. Gold Court will be a
30 nuisance for the car wash. And my property is further down,

1 even further from Crile, which will not present that much of a
2 situation on Crile as the other car wash will.

3 But your point about aesthetics, I'm from here. I
4 want this to be beautiful. I could easily buy a prefab
5 building and spend half the money, but we're going to build a
6 custom building so it looks more appropriate for the
7 surroundings, nicer for the community and something I want to
8 be proud of.

9 But, again, as a result of my research over the last
10 year and a half, speaking to the community, speaking to the
11 Holiday Inn Express, I don't want to be a nuisance to anyone.
12 I don't want to bother anyone. I want this to be a good thing
13 for Concord. I live here. It's in my back yard. So I went
14 and I purchased another piece of land, Crile Road, Old Crile.
15 I spent a lot of money on this piece of property because it's
16 a better fit. It's just that simple.

17 I absolutely completely understand what you guys are
18 doing. I was at the same place two years ago. But after
19 doing the research, it's going to, regardless how you stack it
20 and your feasibility studies, you will find that they're
21 wrong -- I did -- and it's going to back up. It's going to
22 cause a nuisance.

23 And another thing is the one gentleman at the
24 Holiday Inn Express, his name is Brian, he's the manager. He
25 said, "God forbid on a busy Saturday you guys have 100 cars
26 lined up and have a lot of cars going through. What if one of
27 my patrons has an emergency? How does the ambulance get in
28 here?" I am not going to be stepping in anyone's way. I
29 don't want to hurt anyone, God forbid.

30 So, like I said, I went to the extreme, I purchased

1 another piece of land for almost a million dollars. It sits
2 perfectly, has no neighbors. It has Old Crile, so if there is
3 any issues, it's all going to be on that road. I know what
4 they're getting at. That's where I was two years ago, I was.
5 And after a year of research and extensive conversations with
6 community, no one is thrilled about having it on Gold Court.
7 And the aesthetics is a big deal to me. I am willing to spend
8 double the money to have a custom building all in the stone so
9 it looks nice for the township.

10 Again, I'm from here. I live here. I live down the
11 street. I want to pay tribute to Concord. I don't want to
12 get in the way of anyone. I want a success here. So thank
13 you so much.

14 VICE CHAIR SWEENEY: Okay, thank you.

15 Anyone else?

16 (No response.)

17 If not, we'll close the public meeting and I guess
18 we can continue or why don't I entertain a motion.

19 MS. JARRELL: So moved.

20 VICE CHAIR SWEENEY: Okay, to grant this application
21 for conditional use permit. Second?

22 MR. ROWAN: Second.

23 VICE CHAIR SWEENEY: Okay. Before I move for the
24 approval, do we want to continue some discussion here?

25 MR. GOLLING: Probably, yeah.

26 MR. ROWAN: I think so.

27 MR. NEKIC: Sorry. Can I have one more thing?

28 VICE CHAIR SWEENEY: Sure.

29 MR. NEKIC: John Nekic. Regarding that piece of
30 property that I currently own behind Verizon across from

1 Holiday Inn, talking to everybody, they stated they would love
2 to have restaurants there. So rather than selling that
3 property, that's my goal, to eventually develop a restaurant
4 there to entertain the hotel patrons across the street and,
5 eventually, the other hotel that's going to go behind.

6 VICE CHAIR SWEENEY: All right. So which, sir,
7 which piece of property are we talking about?

8 MR. NEKIC: Right behind Verizon, right across the
9 street from --

10 MR. GOLLING: Gold Court.

11 VICE CHAIR SWEENEY: So are we talking east of
12 Verizon?

13 MS. JARRELL: Yes.

14 MR. GOLLING: Right here, yes.

15 VICE CHAIR SWEENEY: Okay.

16 MR. ROWAN: So this is where the --

17 VICE CHAIR SWEENEY: Gotcha.

18 MR. ROWAN: That's the Holiday Inn.

19 VICE CHAIR SWEENEY: Due east of Verizon, like right
20 next to it?

21 MR. NEKIC: Yes.

22 VICE CHAIR SWEENEY: Okay.

23 MR. NEKIC: So after talking to everybody, they said
24 they would like to have a restaurant. So I'm going to keep
25 the piece of property. I'm going to develop a nice restaurant
26 there for our township. Thank you.

27 VICE CHAIR SWEENEY: Okay, thank you.

28 All right. Have at it.

29 MS. JARRELL: Why are you looking at me?

30 VICE CHAIR SWEENEY: Why do you think?

1 MS. JARRELL: Well, I think, 13.05, I think one of
2 the points that one of the gentlemen was trying to make is
3 that, you know, we can't just make a decision based on, you
4 know, how many car washes are next to each other. Obviously,
5 I am exaggerating a bit. But 13.05 does give us, you know, a
6 pretty vast instruction in which to make a decision. It's not
7 like a variance where we have to abide by the Duncan rules
8 and, you know, be more definitive in our decision-making.

9 So I will just, you know, we could have these
10 feasibility studies, traffic studies, what have you. I don't
11 even know how they could come up that everything would be
12 fine. I appreciate the stacking. I am not crazy about how
13 the look is not really that complimentary to the adjacent
14 businesses. I'm floored that none of the other businesses are
15 here tonight. And I am worried about the traffic, the
16 aesthetic. The number of, sorry, yeah, I am concerned about
17 the number of car washes over there and I am concerned about
18 the noise and I am just not, I'm not crazy about it. I am not
19 for it.

20 MR. GOLLING: To get to your point about the
21 Chipotle thing, I went, tried to get to the -- what do they it
22 -- Chipotle, tried to get through there and traffic at the
23 time was backed up northbound on Crile to go eastbound to try
24 to get into Chipotle. It was, you know, during a time where,
25 obviously, I am an idiot for going at 6:30 when it's going to
26 be that backed up. But to that end, there was a fellow behind
27 me that was, rolled his window down, yelled at everybody
28 because he is trying to get over to Roto to get his pizza and
29 he couldn't get through. So he had to run up by the coffee,
30 Starbucks, come back down and go to Roto. I don't know how we

1 could have foreseen that. I didn't think Chipotle would be as
2 popular as it is.

3 But to that end, I am thinking about the same thing
4 on Gold Court. So I am just checking my understanding here.
5 We have, two years ago, buys the property next to Verizon.
6 Finds out that, although putting a car wash there would work,
7 it's not wholly popular. Goes and buys another piece of
8 property that would be better because, in his words, because
9 it's better for Concord, which that's kind of sticking with me
10 there that, you know, if you're going to go into a great
11 financial burden -- I guess a million bucks, if you would
12 consider a financial burden -- yeah, a great financial burden
13 to move down the street because this isn't good for Concord
14 here kind of sticks with me.

15 But on the other side of it is the harmonious thing.
16 And to that end, there is nothing in here that says that we
17 can't have 97 car washes in Concord Township. However, the,
18 my interpretation -- No wonder why I can't see. My
19 interpretation of harmonious means that, if someone drove
20 through and said, "Hey, that's kind of curious. There's a car
21 wash there and a car wash there, it seems kind of weird," that
22 doesn't fit my definition of harmonious, personally.

23 And not that I don't consider the Sunoco drive-thru
24 single car wash a car wash. I think that's just apples and
25 oranges when it comes to this.

26 As far as the building and it's appearance, I've
27 been through the Classic one, did a great job on my car --
28 wheels look great, by the way -- and it fits on Center Street.
29 I mean, it fits right where it belongs and I haven't heard one
30 bad thing about it up there. I just, I am just kind of stuck

1 on the harmonious and whether or not it fits here.

2 VICE CHAIR SWEENEY: Okay.

3 MR. ROWE: The harmonious is, I don't know, got a
4 lot of --

5 MR. GOLLING: It's subjective.

6 MR. ROWE: Yeah.

7 MR. GOLLING: Yeah, it is.

8 MR. ROWE: I certainly agree. Whether there is
9 three or five car washes along there, it's part of the system.
10 Who gives the best one and the best price, the best, you know,
11 and a couple of them don't make it, I mean, God bless them.
12 That's not our, not our call.

13 I just, if the looks of this one doesn't pass muster
14 after we're here, it could, I mean, I don't -- in the further
15 reviews. But I have a little trouble with saying, well,
16 getting into the, into the design review part when we're
17 not -- I mean, we're kind of letting emotion get into the
18 thing.

19 MR. GOLLING: Yeah. Well, that's, the design review
20 is, I mean, it's not our bag. That's for the zoning folks.

21 MR. ROWE: It would be wide open to --

22 MR. GOLLING: I guess, you know, where I am sticking
23 is that when we, the traffic study thing, I mean, I am not
24 going to go sit there and count cars. But from the Chipotle
25 thing, it's like, if I didn't foresee that and then you see
26 this other one down the street by the old Red Cross building
27 or Heart Association, whatever it was, I don't think there is
28 going to be a problem down there with that one. But here, my
29 fear is just Chipotle Number 2, and I don't know if I want to
30 feel that wrath.

1 VICE CHAIR SWEENEY: Okay. Jim?

2 MR. ROWE: Well, again, isn't it, I mean, in our
3 purview because it would certainly seem to provide the
4 stacking. Mentor, they had to, finally, they had, finally,
5 they had to shut down. I mean, Mentor police were tired of
6 getting out there and controlling traffic at the Zappy's. So
7 now they just, they watch the numbers and they put a sign out.
8 And if you want to loop a couple times, that's up to you and
9 so forth. So, you know, whether or not the sheriff is going
10 to bug the people if there is too many cars on Gold to shut it
11 down --

12 MR. GOLLING: The Zappy's folks stack in Walgreens
13 now.

14 MR. ROWE: Pardon?

15 MR. GOLLING: They stack in Walgreens. They line up
16 in Walgreens.

17 MS. JARRELL: They stopped them from doing that. I
18 tried.

19 MR. ROWE: The shutting down of the place
20 periodically, just keep a guy out there. And, you know, if I
21 want a car wash, well, I am retired, so I go, generally, but
22 if it is a peak time, I might do one loop around and if I
23 don't kind of hit, because if you get on your property, it's
24 not that long of a wait. But, as I say, I guess as far as
25 being an annoyance, they satisfied it by the shut-down
26 situation to keep cars off of Mentor Avenue.

27 MR. GOLLING: Right.

28 MR. ROWE: But how we impose that here, I think
29 we're backing in a motion, almost. If it happened at
30 Chipotle, it will happen here.

1 MR. ROWAN: It happens at Starbucks, too.

2 MR. GOLLING: Yeah, oh, yeah.

3 MR. ROWAN: I know there has been approval to move
4 the drive-thru lane.

5 MR. GOLLING: Right.

6 MR. ROWAN: I don't know if that's actually going to
7 make a difference. Time will tell. But, obviously, there is
8 traffic concerns with drive-thrus in this area.

9 MR. GOLLING: So I guess the --

10 MR. ROWAN: It's like how do you --

11 MR. GOLLING: Crile Road isn't going to get less
12 busy, is the point.

13 MR. ROWAN: Right.

14 MR. GOLLING: So, granted, there are different times
15 during the day but, you know, I guess, what's good for
16 Concord? Does that mean harmonious under 13.05 A, B and C?
17 Disturbing the neighbor? I don't know. Maybe. But --

18 MR. ROWE: But the neighbors apparently don't care.

19 MR. GOLLING: The neighbors may not be so concerned
20 about that right now. So I don't have anything else.

21 VICE CHAIR SWEENEY: Okay. The, I think the entire
22 Board takes very seriously what their job is and it is
23 sometimes difficult to know what that is. But I will say that
24 we are bound by the code to the extent that it requires and
25 requests us to, and I quote, find adequate evidence of such
26 things as inharmoniousness, whatever that is. And from what I
27 can see, my opinion as to whether or not -- Frankly, I think
28 two car washes, I mean, let them duke it out. I mean, this is
29 free enterprise as far as I am concerned and my personal
30 opinion really is irrelevant.

1 But if you look at the zoning regulation, along with
2 what our job is, I think it's to find adequate evidence of
3 this inharmoniousness. From what was presented tonight, from
4 the objections, although appreciated, and from the
5 nonparticipation of those parties who would be most affected
6 by this, I don't see any adequate evidence that any of these
7 objectives have not been met.

8 So, frankly, I don't think -- I think the issue with
9 stacking and overflow track is not going to materialize. Some
10 may disagree with me. I don't think the issue of noise has
11 been proven by any amount of evidence, let alone adequate
12 evidence that it is going to create a problem and I think that
13 is the biggest opposition to this.

14 MR. GOLLING: What, the noise?

15 VICE CHAIR SWEENEY: I think the presentation, I
16 think it looks fine, you know. I mean, so I don't know. We
17 don't have to like it, you know. We don't have to like
18 approving it but, if they met the requirements, I think that
19 we have a duty to approve it.

20 MS. JARRELL: That's why we have five people on the
21 board.

22 VICE CHAIR SWEENEY: Agreed.

23 MR. ROWAN: I guess for me, I think going back to
24 the harmonious, so we're voting on, what, 13.26. We take into
25 consideration, obviously, all the regulations, 13.05 being one
26 of them. And they're saying be harmonious with, and in
27 accordance with general objectives or with any specific
28 objective of the Township Comprehensive Plan and/or Zoning
29 Resolution. And I think what stands out for me is that this
30 is in a Business Interchange zoning district, so I think, for

1 me, it fits that.

2 VICE CHAIR SWEENEY: All right. If there is no more
3 discussion, we will move to the adoption of the motion to
4 approve and, Heather, can you take the roll.

5 MS. FREEMAN: Yes, I will. Mr. Rowan?

6 MR. ROWAN: Yes.

7 MS. FREEMAN: Mr. Rowe?

8 MR. ROWE: Yes.

9 MS. FREEMAN: Ms. Jarrell?

10 MS. JARRELL: No.

11 MS. FREEMAN: Mr. Golling?

12 MR. GOLLING: No.

13 MS. FREEMAN: And Mr. Sweeney?

14 VICE CHAIR SWEENEY: Yes.

15 All right. And I believe that concludes --

16 MR. ROWAN: Old business.

17 VICE CHAIR SWEENEY: The New Business.

18 MR. ROWE: Yes, sorry.

19 VICE CHAIR SWEENEY: Old Business. Do I have a
20 motion to approve the minutes from the date -- What date?

21 MR. ROWAN: I move to approve the minutes from
22 December 8th.

23 VICE CHAIR SWEENEY: December 8.

24 MR. ROWE: December 8.

25 VICE CHAIR SWEENEY: Thank you. So moved. Second?

26 MR. ROWE: Second.

27 VICE CHAIR SWEENEY: Okay. Those minutes are
28 approved.

29 MR. ROWE: It took me about three days to read them.
30 I kept nodding off.

1 VICE CHAIR SWEENEY: We appreciate you, Jim.

2 MR. ROWE: They did come out really great.

3 VICE CHAIR SWEENEY: I believe that is it. And if
4 that is all, that will conclude the meeting for this evening.
5 Thank you all for coming.

6 (Whereupon, the meeting was adjourned at 8:17 p.m.)

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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 28th day of April 2022.

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Melinda A. Melton

Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023

