

CONCORD TOWNSHIP ZONING COMMISSION
LAKE COUNTY, OHIO
REGULAR MEETING

Meeting held via YouTube Live Streaming

Concord Town Hall
7229 Ravenna Road
Concord, Ohio 44077

June 7, 2022
7:00 p.m.

TRANSCRIPT OF PROCEEDINGS

Zoning Commission members present:

Rich Peterson, Vice Chairman
Andy Lingenfelter, Member
Frank Schindler, Member
Hiram Reppert, Member
Ashley Garcar, Alternate Member

Also Present:

Heather Freeman, Planning & Zoning Director/Zoning
Inspector
Marty Pitkin, Assistant Zoning Inspector
Michael Lucas, Esq., Legal Counsel

Melton Reporting
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1 7:01 p.m.

2 VICE CHAIR PETERSON: Good evening. I would like to
3 call to order the Concord Township Zoning Commission meeting
4 for Wednesday, June 7, 2022. Our chairman, Rich Iafelice,
5 couldn't attend tonight, so I will be filling in as vice
6 chairman and going over tonight's agenda. The agenda is in a
7 new format we just introduced last month, so it's a little
8 different than what we've done in the past but contains,
9 basically, the same information.

10 To begin with, we'd like to have a call to order by
11 Heather of the Zoning Commission.

12 MS. FREEMAN: Mr. Schindler?

13 MR. SCHINDLER: Present.

14 MS. FREEMAN: Mr. Lingenfelter?

15 MR. LINGENFELTER: Here.

16 MS. FREEMAN: Mr. Reppert?

17 MR. REPPERT: Here.

18 MS. FREEMAN: Mr. Peterson?

19 VICE CHAIR PETERSON: Here.

20 MS. FREEMAN: Ms. Garcar?

21 MS. GARCAR: Here.

22 VICE CHAIR PETERSON: Thank you, Heather.

23 The next item on the agenda is the approval of last
24 month's minutes from the May 3rd meeting. Do I have a motion
25 in the affirmative to approve the minutes?

26 MR. SCHINDLER: Mr. Chairman, I make a motion to
27 accept the minutes as written.

28 VICE CHAIR PETERSON: I have a motion. Do I have a
29 second?

30 MR. LINGENFELTER: I'll second.

1 VICE CHAIR PETERSON: Thank you, Andy.

2 I have a motion and seconded. All in favor of
3 approving last month's minutes say aye. Opposed? Abstention?

4 MR. REPPERT: One abstention.

5 VICE CHAIR PETERSON: One, one abstention.

6 (Four aye votes, no nay votes, one abstention.)

7 VICE CHAIR PETERSON: Very good.

8 Next, do we have any correspondence on the Zoning
9 Commission? And I'll start with my left with Frank. Do you
10 have any correspondence?

11 MR. SCHINDLER: None, Mr. Chairman.

12 VICE CHAIR PETERSON: Hiram?

13 MR. REPPERT: None, Mr. Chairman.

14 VICE CHAIR PETERSON: Okay. Andy?

15 MR. LINGENFELTER: None for me.

16 VICE CHAIR PETERSON: Okay. Ashley?

17 MS. GARCAR: No, Mr. Chairman.

18 VICE CHAIR PETERSON: And I had none either. So no
19 correspondence for the month.

20 Public Participation. At this point, we open it up
21 to anyone that would like to speak about anything on tonight's
22 agenda or in general to the Zoning Commission, and that could
23 be anyone on the telephone.

24 Do we have anyone on the telephone tonight, Heather?

25 MS. FREEMAN: No.

26 VICE CHAIR PETERSON: Okay, nothing on the phone.

27 Anybody here that would like to speak to the Commission on any
28 item?

29 (No response.)

30 Nothing, okay. With no corres -- or no public

1 participation, I will close the participation and we will move
2 on to New Business. And there is no New Business tonight
3 because tonight's agenda is, basically, a continuation of a
4 tabled session that we had in May concerning the Classic Car
5 Wash. We tabled this per mutual agreement and continued on.
6 We had a number of open items that were being discussed at the
7 time. There were some items on the listing, actually, on the
8 staff report from both the county and from Heather that we had
9 some concerns with and that needed to be addressed. And, by
10 mutual agreement, we said that we would continue it this month
11 and address those issues.

12 So tonight we have before us some revised documents.
13 First of all, we have a revised staff report in front of us.
14 Secondly, a supporting document is a revised 97-page traffic
15 study that was presented for the proposal. And we also have a
16 revised landscaping plan with, also, revisions to the facility
17 itself.

18 So with that in mind, we will go through, basically,
19 the site issues on the staff report. The staff report from
20 both Lake County and our local Zoning goes through a number of
21 issues that were of concern in the site review itself, and we
22 will begin with the site review tonight. We will do design
23 review as a separate item.

24 So on the site review, the staff report talks about
25 primarily five different areas for discussion, one of which is
26 a still an open concern. On the car wash, there is a canopy
27 that goes above the pay station where the three lines of
28 automobiles go underneath the canopy, they pay there either
29 with credit card or with cash or using their validation
30 sticker. That canopy is currently in violation of the setback

1 regulations that we have which require that to be 50 feet from
2 Gold Court. The actual measurement is 27.19 feet from Gold
3 Court.

4 So there are two options on that but it's still an
5 open item. It can either be revised, which I don't know how
6 you would revise that, or a variance can be requested. That
7 variance would have to go through the BZA, the Board of Zoning
8 Appeals, for approval. That's not, that's not a variance that
9 this Board has the authority to grant.

10 We talked about two of the -- One of the things that
11 would be ideal from a traffic standpoint was if we could reach
12 some sort of agreement between the proposed car wash and the
13 Holiday Inn, which is adjacent and behind the proposed car
14 wash, where maybe the parking lot entrance could be shared.
15 It was just a suggestion but we said due diligence should be
16 made to explore that possibility. So the owner of the Holiday
17 Inn has been contacted and we have in front of us a document,
18 basically, saying they're not interested in doing that for
19 traffic reasons. So the idea of a changed entrance or a
20 secondary entrance is kind of off the table because Holiday
21 Inn does not wish to participate, although they have no
22 objections to a car wash for a neighbor. They just don't want
23 that traffic through their parking lot.

24 Another item was the traffic issue that we talked
25 about last month and there were concerns about the traffic
26 report not covering all of the parameters. The new, the new
27 traffic report that we have in front of us tonight is much
28 more comprehensive and it now satisfies the Lake County folks
29 and their concerns, and it also satisfies our zoning board
30 here or our Zoning Department here in Concord. So that issue,

1 though we can still discuss, is deemed to require no further
2 action.

3 The next item on the item, on the docket here that
4 does require some concern or discussion is the landscaping
5 plan. Our requirements require on the, what would be the
6 south side of the property to have a 5 foot planting area
7 between all the building walls and paved areas. That is
8 currently not on the plan. And the question would be, either
9 the plan is changed or a variance could be requested for that
10 at the applicant's choice.

11 And then we had another landscape issue about shade
12 trees and that's been addressed. New trees are being added to
13 the plan and that satisfies that requirement.

14 And then, finally, I guess this really -- There is a
15 strip in there that would be mounded and it's 2 feet higher
16 than the parking lot. The plan shows, must show the contours
17 for that and that has now been addressed and compliant.

18 So with that in mind, that was within the body of
19 the staff report. And then at the end of the staff report, we
20 go into a little more detail on some of these where we talk
21 about, again, the easement of the property, not an issue
22 anymore because Holiday Inn doesn't want to participate.

23 But the two items that would require either a change
24 or a variance are Items 2 and 3, which is the canopy and the
25 planting of the 5 foot, 5 foot planting area on the south side
26 of the building. Other than that, there is an item that says
27 "show the existing contours within 100 feet of the parcel,"
28 that's still open. Is that an issue still, Heather, the
29 contours?

30 MS. FREEMAN: That would still need to be revised on

1 the civil plans.

2 VICE CHAIR PETERSON: Okay. And, basically, those
3 are the items that would affect tonight's discussion.
4 Everything else has been closed. The recommendation -- And I
5 will remind everyone involved, the site approval was already
6 done by the Zoning Appeals. The request to build a car wash
7 there was approved by the Zoning Appeals Board. We're here to
8 talk strictly on the site plan and the design plan.

9 So with the site plan in mind, is there any
10 discussion on the Board that there is still concern in any
11 area? Frank, anything that --

12 MR. SCHINDLER: Not that I can see. I went through
13 the things that were highlighted and, as far as I can see, all
14 these are going to be met.

15 VICE CHAIR PETERSON: Okay.

16 MR. SCHINDLER: And agreed upon. So --

17 VICE CHAIR PETERSON: Okay. Hiram, I know you
18 missed last month's meeting, so you may have some questions.
19 Now is the time.

20 MR. REPERT: Yes, Mr. Chairman. The one that
21 concerns me is the north side setback should be 50 and it's
22 only 27, so we need to revise that or have a variance for
23 that.

24 VICE CHAIR PETERSON: Which item? It's not --

25 MR. REPERT: Well, the canopy proposed over the pay
26 area is on the north side. Setback is 27.19 from the Gold
27 Court road right-of-way when the minimum setback is 50.

28 VICE CHAIR PETERSON: Yeah, that's the canopy.

29 MR. REPERT: Yes, the canopy.

30 VICE CHAIR PETERSON: Right. That's the one a

1 variance would be required or a change in the design.

2 MR. REPPERT: Yeah.

3 VICE CHAIR PETERSON: Okay.

4 MR. REPPERT: That's what I said.

5 VICE CHAIR PETERSON: That one is still open.

6 MR. REPPERT: Okay. That one is still open?

7 VICE CHAIR PETERSON: That one is still open.

8 MR. REPPERT: And then I have a question on the
9 design and I don't think you --

10 VICE CHAIR PETERSON: Yeah. Let's do the site first
11 and then we will do the design.

12 MR. REPPERT: Oh, yeah, okay. You're right. That's
13 it.

14 VICE CHAIR PETERSON: Okay, so canopy.
15 Andy?

16 MR. LINGENFELTER: Yeah, I have a question. Mike,
17 if you, can you -- Is it appropriate for us to move forward on
18 the site plan review with having variances that are still
19 required from the BZA? Is it, would it be prudent of us to,
20 you know, to wait until the BZA rules on this before we would
21 do anything further or what would -- Where are we on that?

22 MR. LUCAS: Under 36.07 of the Zoning Resolution,
23 there could be conditional approval of the site plan, in this
24 particular case. And the representative has yet to speak on
25 this. But if the representative indicates that he's going to
26 seek the variances that have been the subject matter of the
27 discussion so far, the Zoning Commission has the authority to
28 grant the, assuming he is going to do that, has the authority
29 to grant approval conditionally of the site plan pending on
30 certain conditions, which, again, if it's going to be the two

1 variances, it would be subject to that.

2 And, obviously, if the variances are not granted,
3 the potential for modification of the site plan is always
4 available to the applicant as well. So the --

5 MR. LINGENFELTER: So if we, so if we conditionally
6 approved the site plan, okay, and then they would take, they
7 would take this to the BZA and the BZA would deny or if they
8 couldn't meet those requirements and they would deny those,
9 then what would happen to our conditional approval then?

10 MR. LUCAS: It goes by the wayside, basically.

11 MR. LINGENFELTER: So then what would be the
12 recourse after that from the applicant?

13 MR. LUCAS: The applicant can, under the Section 36
14 of the Zoning Resolution, has the availability to come back
15 with a modified plan for review again by the Zoning Commission
16 if they wanted to do that.

17 MR. LINGENFELTER: Even if, even if we granted a
18 conditional approval or if we -- Well, I am looking for the,
19 you know -- if we conditionally approved the site plan review
20 for tonight.

21 MR. LUCAS: Yes.

22 MR. LINGENFELTER: Based on these variances that
23 they're going to have to get from the BZA.

24 MR. LUCAS: Correct.

25 MR. LINGENFELTER: Okay. And if those were not
26 approved, then our conditional approval would be negated?

27 MR. LUCAS: That's correct.

28 MR. LINGENFELTER: Would be vacated?

29 MR. LUCAS: Right, because it was expressly
30 conditioned upon those two conditions. If the subsequent

1 action by the applicant before the Board of Zoning Appeals is
2 unsuccessful, the conditional approval, at the risk of stating
3 the obvious, is expressly conditioned upon those conditions
4 being successfully met by the applicant.

5 MR. LINGENFELTER: Right.

6 MR. LUCAS: Them not being successfully met, if the
7 BZA determines that they're not going to grant either variance
8 or one variance but not the other one, so in that type of
9 situation, the approval, because it's conditional as opposed
10 to an absolute approval --

11 MR. LINGENFELTER: Right.

12 MR. LUCAS: -- falls by the wayside, is no longer in
13 effect.

14 MR. LINGENFELTER: So if they met one of the, if
15 there was more than one condition that we, that we made for
16 the recommendation, if there were three, just for
17 conversation, there was three conditions, they met two of the
18 three but they didn't meet the third, then that would negate
19 what we've done?

20 MR. LUCAS: Yes.

21 MR. LINGENFELTER: They have to get all the, all
22 three would have to be --

23 MR. LUCAS: They have to meet all the conditions --

24 MR. LINGENFELTER: All the conditions.

25 MR. LUCAS: -- that you place for approval.

26 MR. LINGENFELTER: Right.

27 MR. LUCAS: And if they don't meet all of those
28 conditions, then the conditional approval, by it's very name,
29 conditional approval, is no longer in effect.

30 MR. LINGENFELTER: And then if, and then if all

1 three were granted or however many conditions there are on our
2 conditional site plan approval, it would go to the BZA for
3 their, for those conditions to be met. They meet all those
4 and it doesn't come back. I assume our decision then becomes
5 formal.

6 MR. LUCAS: No.

7 MR. LINGENFELTER: Okay.

8 MR. LUCAS: That's correct, because the BZA, if
9 you've eliminated, hypothetically, in this discussion, to the
10 two variances that, potentially, are there and the applicant
11 goes in front of the Board of Zoning Appeals and both
12 variances are granted, all the conditions have been met and
13 they're, basically, removed from the table in terms of the
14 absolute approval by the Zoning Commission.

15 MR. LINGENFELTER: Right. So we wouldn't have to,
16 we wouldn't have to reapprove that with the conditions once
17 they, if those conditions were met then.

18 MR. LUCAS: That's correct.

19 MR. LINGENFELTER: So once we do that, it's either
20 it goes to the BZA and then, at that point, the BZA makes a
21 decision. If they grant all their conditions, then it's,
22 pretty much, it's done.

23 MR. LUCAS: It is done.

24 MR. LINGENFELTER: Right, okay. But if they don't
25 meet all those, then there would be nothing for us to
26 consider. The applicant would then have to reapply?

27 MR. LUCAS: Well, reapply or present, they have the
28 availability to present a modification of the site plan.

29 MR. LINGENFELTER: Now, if they did that -- I am
30 just trying to understand the process. So if they did that,

1 so then that would come back to us?

2 MR. LUCAS: Yes.

3 MR. LINGENFELTER: And then we would have to then
4 conditionally approve it again and it would have to go back in
5 front of the BZA?

6 MR. LUCAS: Well, not necessarily continually
7 approve it. If they come back and they present a plan, a site
8 plan that has eliminated the necessity for any variance, then
9 there is no condition necessary.

10 MR. LINGENFELTER: Right.

11 MR. LUCAS: It's either we approve it or disapprove
12 it.

13 MR. LINGENFELTER: Correct, okay, very good. Thank
14 you. I appreciate the insight.

15 MR. LUCAS: Okay.

16 MR. LINGENFELTER: Okay. I would like to hear from
17 the applicant as to what their thoughts are on some of these
18 processes, Rich. Other than that --

19 VICE CHAIR PETERSON: Okay. Then I am going to call
20 them up next.

21 MR. LINGENFELTER: Okay.

22 VICE CHAIR PETERSON: Ashley, anything?

23 MS. GARCAR: No. I am good.

24 VICE CHAIR PETERSON: Okay, very good.

25 Then is there anyone from the applicant that would
26 like to step forward and address these issues, these two
27 variance areas and any other issue that might be on here?
28 Please state your name and your address, please.

29 MR. HANSON: Kurt Hanson, 4780 South Pine Lane,
30 Perry, Ohio.

1 Both of the items, the first one being on the north
2 side of the building, the canopy, we are definitely looking
3 into going to, applying to the BZA for a variance for that to
4 have it, basically, build it as we have designed. And then on
5 the second item regarding the landscaping, the 5 foot on the
6 south side of the building, that one as well, we are looking
7 at going to, spinning to the BZA to request for a variance
8 there as well.

9 VICE CHAIR PETERSON: Okay, very good.

10 MR. LINGENFELTER: Now, is that on the, is that one
11 on the -- I am sorry. You lost me on that. The first one was
12 the one that's on the conditions for the shared driveway.

13 MR. HANSON: No.

14 VICE CHAIR PETERSON: No.

15 MR. REPERT: No, it's for the canopy.

16 VICE CHAIR PETERSON: They're located at the top of
17 the page.

18 MR. LINGENFELTER: Right.

19 MR. HANSON: Yeah, the first one is for the canopy
20 on the north side of the building and then the second one
21 would be for the south side of the building for not having the
22 5 foot landscape buffer right adjacent to the south side of
23 the building.

24 MR. LINGENFELTER: Right. So there is going to be
25 two variances you're going to request.

26 MR. HANSON: That is correct.

27 MR. LINGENFELTER: Okay. All right. Okay.

28 VICE CHAIR PETERSON: I believe those are the only
29 two concerns that are listed in here that are still open; is
30 that correct, Heather?

1 MS. FREEMAN: Mr. Chairman, I would still recommend
2 a conditional approval based on granting these two, getting
3 these two variances approved, and then, also, revising the
4 civil plans to show the existing contours within 100 feet of
5 the lot lines, and then just making sure that the grading plan
6 also shows that 2 foot mound that he revised already on the
7 landscape plan.

8 VICE CHAIR PETERSON: Is that an issue at all?

9 MR. HANSON: No. That would be on the final set of
10 civil drawings that would be presented to the township upon
11 final.

12 VICE CHAIR PETERSON: Okay, very good. So two
13 variances and address that as part of the conditional as well,
14 that that would be taken care of in your plan.

15 Well, that's pretty much it, I think, for the site.

16 On the design side of things here, while you're
17 there, the design comments that we have, architectural plans,
18 talk about the car wash building is 4,800 square feet, maximum
19 height of the building is 31 point -- or 31 foot, 4 inches to
20 the top of the parapet, 16 inch, top of the low parapet, and
21 it talks about the construction.

22 You've changed your color scheme to match the
23 Concord zoning requirements. So it, basically, says here that
24 that's fully compliant now. So you won't have the white and
25 red, you'll have the coloring, the charcoal and the --

26 MR. HANSON: That's correct.

27 VICE CHAIR PETERSON: Okay. The canopy roof over
28 the building is approximately 152 feet long, and the plans
29 have been revised now and are compliant in that area of the
30 canopy roof. That was taken care of and addressed.

1 The tallest portion of the building had lighting up
2 there on the sign and you've removed the lighting.

3 MR. HANSON: Correct.

4 VICE CHAIR PETERSON: So the sign, which was your
5 concern that you brought up, Andy, that the lighting on the
6 sign at the top, the high part.

7 MR. LINGENFELTER: It was the lighting and the
8 height. So we didn't do anything on the height?

9 MR. HANSON: We did not.

10 VICE CHAIR PETERSON: Yeah. So --

11 MR. LINGENFELTER: Was there a reason why?

12 MR. HANSON: The, I know, per the township code,
13 that buildings are supposed to be designed to look like they
14 are two stories but that is, obviously, when we designed, that
15 was part of ours to get that two-story look, was to have that
16 element, achieve the, meet the code.

17 MR. LINGENFELTER: Okay.

18 VICE CHAIR PETERSON: Very good. The lighting plan,
19 you changed your lighting. You have new complaint lighting.
20 And we have in our packet here, for your reference, the new
21 lighting that is being used and it is now said to be
22 compliant.

23 MR. HANSON: Yeah, and that was the, that was the
24 lighting underneath the canopies. The original lighting
25 underneath the canopies had a pendant fixture that stuck down.
26 So that has all been revised to have the fixture up in there
27 so you will not see it at all.

28 VICE CHAIR PETERSON: And that's fully compliant
29 now, right, Heather, the lighting?

30 MS. FREEMAN: Yes, yes.

1 VICE CHAIR PETERSON: Okay. And then the sign
2 package, the sign packet is compliant is what our report says.
3 So all signage, is there any discussion on signage, Heather,
4 that we need to bring up? Item, I have numbered it number 5
5 but it's the last item you have above the Comment section
6 there. Sign package was submitted?

7 MS. FREEMAN: Oh, I would, I guess I would note that
8 they did revise that freestanding sign that they had at the
9 entrance directing traffic onto the property and to the car
10 wash -- that was a revision to match the new color scheme --
11 and at the pay station where they brought the stone in and the
12 new color scheme to match the building.

13 MR. HANSON: Correct. Yeah, we did it with that
14 sign and also, too, the menu board there at the pay station as
15 well, too. We made those tie in, tied into the building.

16 VICE CHAIR PETERSON: Okay. Obviously, one of the
17 things that has to be addressed, and I am assuming will be
18 addressed, is the comments from Lake County, which are the
19 utilities, stormwater management and so forth. And Heather
20 has rolled that into her final recommendations and conclusions
21 here that it's a given that you will have to comply with all
22 the requirements in that.

23 MR. HANSON: That's correct.

24 VICE CHAIR PETERSON: Are there any problems that
25 you're aware of in that area with the utilities?

26 MR. HANSON: No. We've been in direct communication
27 with all the utility companies so far.

28 VICE CHAIR PETERSON: Straightforward, okay.

29 MR. HANSON: So that's all going to be, yeah. And
30 then once the drawings are 100 percent complete, it will get

1 submitted to the, to the utility companies, to Stormwater for
2 their full review and feedback and all their comments will be
3 addressed as we go through that process.

4 VICE CHAIR PETERSON: Okay, very good. One of the
5 items that appeared to be still open on here, on the design
6 staff recommendation, the last item, which was, "Trash
7 enclosure detail shall be revised to match the color scheme of
8 the building." Has that been done?

9 MR. HANSON: That has not been done yet but that
10 will be on the final drawings. I will, obviously, have the
11 stone base on it to match. It will tie in with the signs and
12 the building itself.

13 VICE CHAIR PETERSON: Okay, very good. I saw that.
14 That was the only thing I saw that was still open, that didn't
15 seem to be -- and that's going to be in the final? You're
16 okay with that?

17 MS. FREEMAN: As long as they can agree to that
18 condition, if that pleases this Board, yeah.

19 CHAIRMAN LINGENFELTER: Okay. Any questions here,
20 Frank, on the design?

21 MR. SCHINDLER: None, Mr. Chairman.

22 VICE CHAIR PETERSON: Hiram, design?

23 MR. REPERT: Yes. We said that the canopy roof
24 over the main car wash building has been resolved. Can you
25 tell me how?

26 MR. HANSON: We'll actually pull it up here so you
27 can see the elevations. All right. So the original design
28 had from, basically, looking at the side elevations, basically
29 from one end to the other was a continuous canopy. So as we
30 worked through the, basically, based upon the township code,

1 we have, as you can see, taken the center of the canopy area
2 out of there. So now you have basically cover canopy going
3 in, kind of extends over the roof a little bit, then it stops
4 and it starts back up again.

5 Last time we had basically presented, we discussed
6 that issue. Those, the canopy going into the car wash and
7 exiting are, basically, both, basically, they're there to be,
8 they basically have a use. So the canopy going into the car
9 wash, that was for when the cars are coming up. The first car
10 gets lined up to go into the tunnel. There is always an
11 employee that stands there and makes sure the cars line up.
12 They take the mirrors and make sure they're folded in. So
13 that kind of helps keep them under cover throughout the
14 daytime if they're there working, especially during the summer
15 months with the warm sun. And then the, as the canopy goes
16 out of the tunnel, there is always one or two employees that
17 are there that will take the mirrors, turn the mirrors back
18 out. They've got chamois that they'll kind of do a finish dry
19 off of the car. So that kind of helps give them an area to
20 stand and protected from the elements as well.

21 MR. REPERT: Okay, thank you.

22 VICE CHAIR PETERSON: Anything else?

23 MR. REPERT: No, sir.

24 VICE CHAIR PETERSON: Andy, on the design?

25 MR. LINGENFELTER: No, I don't have any questions.

26 VICE CHAIR PETERSON: Thank you.

27 Ashley?

28 MS. GARCAR: No questions.

29 VICE CHAIR PETERSON: And I have no further comments
30 on the design either. Thank you. That's really all we have.

1 MR. HANSON: Okay.

2 VICE CHAIR PETERSON: We're going to do two motions
3 here, separate motions, one for the site review, site plan,
4 and the other for the design review.

5 For the record, and we stated these in last month's
6 record, but the site plan review is for parcel number
7 08-A-020-B-00-005-0 and that is the site plan review for
8 Application Number 52. So I'll entertain a motion in the
9 affirmative for approval of the site plan.

10 MR. LUCAS: Mr. Chairman.

11 VICE CHAIR PETERSON: Yes, sir.

12 MR. LUCAS: For purpose of the motion, just -- and I
13 am sure nobody has forgotten -- but you're going to make a
14 motion to conditionally approve.

15 VICE CHAIR PETERSON: Correct.

16 MR. LUCAS: Subject to the grant of the two
17 variances.

18 VICE CHAIR PETERSON: Thank you, Mike, that's
19 absolutely correct. Anybody that makes a motion here, it has
20 to include conditional approval based on the two variance
21 requests and the other open items that we just discussed that
22 would be fairly routine.

23 Before we vote, I guess any further comments?
24 Before we even entertain a motion, any comments that anybody
25 has?

26 MR. REPERT: For the site plan?

27 VICE CHAIR PETERSON: Frank?

28 MR. SCHINDLER: Not from me, Mr. Chairman.

29 VICE CHAIR PETERSON: Design or -- Okay. Hiram?

30 MR. REPERT: Design or --

1 VICE CHAIR PETERSON: Either one.

2 MR. REPPERT: -- site plan?

3 VICE CHAIR PETERSON: Yeah.

4 MR. REPPERT: Let me talk to them afterwards. It is
5 not an issue, just a question.

6 VICE CHAIR PETERSON: Okay. Comments, Andy?

7 MR. LINGENFELTER: No. I just want to make sure we
8 get the motion right on the plan, that's all.

9 VICE CHAIR PETERSON: Okay. Ashley, anything?

10 MS. GARCAR: No.

11 VICE CHAIR PETERSON: The only comment I would make
12 is it was my intent to go to Mentor this past month and go
13 through the car wash that exists there and experience it
14 firsthand, and I was unable to do that or I just somehow
15 didn't get around to it. But I do have a good friend that
16 lives in Mentor and he owns a business and he takes his
17 company vehicles there ever since it opened. And I asked him,
18 candidly, what is your experience there?

19 And his comment, and it was kind of a personal
20 testimony, he said, "You know, I go there mostly in the
21 wintertime. I buy the monthly pass and I go there regularly,
22 and I've gone there on the days when the traffic was at its
23 worst and it wasn't bad." So he confirmed, at least, there.

24 Now, I know that's Fracci Court compared to Gold
25 Court, which a little different in size, but he said never
26 experienced a real traffic concern down there. And his
27 comment was, it's a first class operation. It's very well run
28 and he really complimented the employees that Classic hires
29 there. He said they're helpful, they're polite and had a lot
30 of good things to say about them. So I got nothing negative

1 out of that and I thought I'd share that.

2 So with that in mind, I will now entertain a motion
3 to conditionally approve, and please call out the conditions
4 if you make the motion.

5 MS. GARCAR: Mr. Chairman, I would like to make a
6 motion for approval, conditional approval with the two
7 variances for BZA as stated in the staff recommendations, as
8 well as addressing a few of the -- addressing the issues with
9 the staff recommendations in there.

10 VICE CHAIR PETERSON: Thank you, Ashley.

11 I have a motion for conditional approval of the site
12 plan. Do I have a second?

13 MR. LINGENFELTER: What are the conditions that
14 we're assessing to this?

15 VICE CHAIR PETERSON: She just --

16 MS. GARCAR: The site plan conditions listed in the
17 staff recommendation.

18 MR. LINGENFELTER: Which are which ones?

19 MS. GARCAR: All of the ones that the staff --

20 MR. LINGENFELTER: Well, it's two, correct?

21 VICE CHAIR PETERSON: Two variances.

22 MS. GARCAR: Two variances.

23 VICE CHAIR PETERSON: And two others.

24 MS. GARCAR: Plus the staff --

25 VICE CHAIR PETERSON: The other ones, too, Andy, the
26 contour of the plan, landscape contour, the ones that Heather
27 called out.

28 MR. LINGENFELTER: Right. But I want to know, what
29 are the two variances? The two variances that are required, I
30 would like those to be stated specifically, not just, you

1 know, in general.

2 MS. GARCAR: The two variances would be the canopy
3 variance, as well as the south side gardening, 5 foot
4 gardening.

5 VICE CHAIR PETERSON: So it's a variance on the
6 canopy location in relationship to Gold Court distance wise
7 and the 5 foot buffer landscaping zone on the south side of
8 the property, both will require variances.

9 MR. LINGENFELTER: Does that cover, Mike? Heather?

10 MS. FREEMAN: I mean, that covers the two variances
11 but I guess, Mr. Lucas, maybe you can help here a little bit.

12 MR. LUCAS: Yeah, that's fine.

13 MS. FREEMAN: Should we, should the Board be asking
14 for conditional approval with all of the conditions as stated
15 in the staff report or should we eliminate the ones that we
16 have kind of agreed to that they met already?

17 MR. LINGENFELTER: Well, that was my question.

18 MS. FREEMAN: Yeah.

19 MR. LINGENFELTER: Because there is a number of
20 conditions that are recommended in the staff recommendations
21 where those conditions have been met. So I would like, you
22 know, I just want to make sure that we, when we call out these
23 specific conditions, that we call them out, you know, that
24 they're specific and not just in general so that we know
25 exactly what we're dealing with. That's all. I think, from a
26 formality, from a motion standpoint, we need to call these out
27 specifically. So --

28 MR. LUCAS: I don't know what other conditions. The
29 applicant represented he is going to meet or already has met
30 the staff recommendations on everything exclusive of the

1 variances.

2 MR. LINGENFELTER: Right.

3 MR. LUCAS: What else is there?

4 MR. LINGENFELTER: Right, exactly.

5 MS. GARCAR: What were the two things that you had
6 stated?

7 MS. FREEMAN: So under the --

8 MS. GARCAR: The 2 foot.

9 MS. FREEMAN: Yeah. So under the staff
10 recommendations on the staff report on page 5, Number 2, they
11 said they're going for the variance.

12 MR. LINGENFELTER: Right.

13 MS. FREEMAN: Number 3, they were going for the
14 variance. Number 4, they still need to do, which is show the
15 existing contours.

16 VICE CHAIR PETERSON: Contours.

17 MS. FREEMAN: Number 5, show the grading, provide
18 grading plan to show the 2 foot mound. And then, obviously,
19 we still want them to comply with the County Stormwater
20 Management and County engineer's stipulations. So --

21 VICE CHAIR PETERSON: And also the trash enclosure
22 detail.

23 MS. FREEMAN: That falls under design review.

24 VICE CHAIR PETERSON: Okay.

25 MR. LINGENFELTER: Yeah.

26 VICE CHAIR PETERSON: Did we get them all?

27 MR. LUCAS: I believe that to be the case.

28 VICE CHAIR PETERSON: Okay. I have a motion to
29 conditionally approve with the conditions noted. Do I have a
30 second?

1 MR. SCHINDLER: I second, Mr. Chairman.

2 VICE CHAIR PETERSON: Thank you, Frank.

3 We have a motion and a second. Heather, could you
4 call for the vote on the site plan?

5 MS. FREEMAN: Ms. Garcar?

6 MS. GARCAR: Yes.

7 MS. FREEMAN: Mr. Reppert?

8 MR. REPPERT: I conditionally approve, yes.

9 MS. FREEMAN: Mr. Lingenfelter?

10 MR. LINGENFELTER: Based on the conditions, yes.

11 MS. FREEMAN: Mr. Schindler?

12 MR. SCHINDLER: Based on the conditions, yes.

13 MS. FREEMAN: Mr. Peterson?

14 VICE CHAIR PETERSON: Yes, similar, with the
15 conditions being met.

16 Okay. Thank you. So it is conditionally approved
17 at this point for the site plan.

18 The next item, obviously, is the design plan and
19 this is, again, Application Number 52, 08-A-020-B-00-005-0.
20 I will entertain a motion -- and I don't believe we have
21 variances on the design end of this -- a recommendation to
22 conditionally approve the design.

23 MS. GARCAR: Mr. Chairman, may I ask a question? Is
24 the conditional that we discussed, so that things don't get
25 missed, it was just the trash; is that correct?

26 VICE CHAIR PETERSON: Oh, trash?

27 MS. GARCAR: Is that correct? Was that the only
28 conditional that we were looking at for the design?

29 VICE CHAIR PETERSON: I guess trash is listed under
30 the design, that they have the trash enclosure to match the

1 color scheme of the building.

2 MS. GARCAR: Were there other conditional things
3 that we needed?

4 VICE CHAIR PETERSON: Everything else under design,
5 I believe, was covered.

6 MR. REPERT: No, the canopy is still the issue.

7 VICE CHAIR PETERSON: No, no, that's under site
8 plan.

9 MR. REPERT: Well, design review, the bottom of
10 that page, page 3, the canopy roof over the main car wash.

11 VICE CHAIR PETERSON: That's a different canopy.
12 That's the canopy over the entire building.

13 MR. REPERT: Yeah, it's 152 feet long.

14 VICE CHAIR PETERSON: It was covered already though.

15 MS. GARCAR: The black writing is from May, and if
16 you then read the blue writing, that's how they fixed it with
17 the new thing, from my understanding.

18 VICE CHAIR PETERSON: It's now compliant, if you
19 note on the bottom of page 3.

20 MR. REPERT: Okay. I apologize.

21 MS. GARCAR: I could be incorrect with the black and
22 blue.

23 VICE CHAIR PETERSON: No, there are two canopies
24 there. Okay. So the only conditional that's open right now
25 in the design, and that would also apply to the utilities as
26 they may apply, would be the trash container enclosure
27 matching the building. So do I have a motion for conditional
28 approval with those minor exceptions or minor conditions?

29 MR. REPERT: What are they, again, the trash?

30 VICE CHAIR PETERSON: Yeah. At the top of page 7,

1 "Trash enclosure detail shall be revised to match the color
2 scheme of the car wash building."

3 MR. REPPERT: Okay.

4 VICE CHAIR PETERSON: And then, obviously, the other
5 condition is that they meet all of the Lake County Utility and
6 Sewer and Stormwater requirements.

7 MR. REPPERT: Mr. Chairman, I make a motion that we
8 conditionally approve the design review for -- I don't have
9 the number -- Number 08-A-020-B-0 -- oops, wrong one --
10 08-A-020-B-00-005-0 with the condition that the trash
11 enclosure detail shall be revised to match the color scheme of
12 the car wash building and, in addition, all of the county and
13 utility requirements are met.

14 VICE CHAIR PETERSON: Thank you, Hiram.

15 I have a motion for conditional approval. Do I have
16 a second?

17 MS. GARCAR: I can second. I'll second.

18 VICE CHAIR PETERSON: Okay, Ashley seconds. So we
19 have a motion seconded.

20 Heather, could you call for the vote, please.

21 MS. FREEMAN: Mr. Reppert?

22 MR. REPPERT: Yes, with those conditions being met.

23 MS. FREEMAN: Mr. Lingenfelter?

24 MR. LINGENFELTER: Yes.

25 MS. FREEMAN: Ms. Garcar?

26 MS. GARCAR: Yes.

27 MS. FREEMAN: Mr. Schindler?

28 MR. SCHINDLER: Yes.

29 MS. FREEMAN: Mr. Peterson?

30 VICE CHAIR PETERSON: Yes.

1 Okay. Both, given the vote, both the site plan and
2 the design review for the car wash are conditionally approved
3 with the conditions as noted. Thank you.

4 MR. URBANIC: Thank you very much.

5 VICE CHAIR PETERSON: That was, pretty much, our
6 whole agenda tonight. Does anybody have anything that you
7 would like to discuss before we adjourn?

8 MR. SCHINDLER: There is one thing I caught on
9 there, probably no big deal.

10 THE REPORTER: Speak up, Frank, please.

11 MR. SCHINDLER: Wait till they go out.

12 One thing I caught on there on the front page was
13 that the Board of Zoning Appeals voted to consider conditional
14 use permit of the car wash at their June 8th meeting, which is
15 tomorrow.

16 VICE CHAIR PETERSON: Right, right, I knew that.

17 MR. SCHINDLER: Okay.

18 VICE CHAIR PETERSON: We're aware of that.

19 Okay. Well, with that in mind, our next meeting is
20 the day after the 4th of July, July 5, 2022, and I will
21 adjourn tonight's meeting.

22 (Whereupon, the meeting was adjourned at 7:36 p.m.)
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STATE OF OHIO)
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COUNTY OF LAKE)

CERTIFICATE

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office this 23rd day of June 2022.

Melinda A. Melton -----
Melinda A. Melton
Registered Professional Reporter

Notary Public within and for the
State of Ohio

My Commission Expires:
February 4, 2023

