

BOARD OF ZONING APPEALS HEARING

SEPTEMBER 14, 2022 @ 7:00 PM

BZA #2022-010

1. Lee: Good evening my name is Lee May I am site development manager with Giant Eagle, we are here to talk about the proposed WetGo Car Wash on main street and this is for the location here (using slide show presentation during entire thing). We have our existing Get-Go convenient store right here at the corner of Hazel and Main Street, this location is on the other side of Hazel Street but still on the north side of Main Street and it's a compilation of multiple parcels, should we read all those lot number and parcels into the record? (MM shook head no) okay because it's a lot and the area that is highlighted in yellow here and we can always come back if we need to refer to this aerial. I just want to give an overview of the project that we are proposing, so we have an agreement with L&K Capital Holdings who is the current property owner to purchase these parcels. We are currently in the due diligence phase and we have submitted land development plans to both Ravenna Township and the City of Ravenna. I should mention that we were before the City of Ravenna planning commission on August 30th and they voted, I believe with some conditions, but they voted to approve it. Right now that existing building that is there now it looks like it was an auto dealer at one time, now it's a garage, it's a little over 17,000SF so it's a rather large building, our proposal would be to demolish this building for this redevelopment. The proposed development, I have a site plan but I was just going to give you an overlay. This is a single bay tunnel car wash, it's fully automated, you pull and your car gets onto a conveyor and it pulls you through the wash. We have two queuing lanes, and then we have 16 vacuum spaces, by the way these are free vacuums, you can pull into use them there is no queuing or payment method for those. Then we also have 5 regular parking spaces for regular employees, service technician or a customer that may need to come into the office and we do have a single use dumpster or refuse container. It's about 2.88 acres and the building that we are proposing is a little over 3500SF and this project, like I mentioned is in both the city and in the township and it's almost equally divided almost evenly divided. So as for as zoning goes, we have a table here for both the city and the township. Of course, we are here to talk about the township, the one I have highlighted in red. In both cases we meet all of the bulk requirements without any variances necessary to the best of our interpretation of the code unless staff advises otherwise. In the Township we are zoned C2 which is heavy commercial, but a car wash is a conditional use. If it's okay I won't site all the chapters and paragraphs and everything, I will just kind of give you the summary. Because it's a car wash, we are subject to these sections in 700.10B7,36. So in B7 the structures and activities should have primary access to a collector or arterial street. We initially had an access shown on Main Street and the response we got from ODOT was because we would have access on the side streets they would not permit access directly on Main Street of course that was more
2. Gary: excuse me just a minute, the state would not allow you to have access to Main Street
3. Lee: yeah the part that's within the Township I understand they have jurisdiction over the Township Portion but on the City side I believe the City has jurisdiction. We looked at, we moved, I'll explain, I'll get to the site plan. I think you will understand why because if we tried to squeeze it into the frontage in the city, it would be a little awkward, it's actually too close to the corner
4. Gary: so, your entrances and exits for this proposed building is going to be on Hazel Street, correct?
5. Lee: That's Correct
6. Gary: so, there will be extra traffic on those two side streets
7. Lee: for a short distance from Main Street up to the curb cut, would you like me to jump to the site plan before going through these conditions, I could do that, I tacked it onto the end.
8. Gary: keep on your path and then we will tear you apart

9. Lee: okay (laughs) yeah it's a lot easier when you have a picture of the site plan. So that was 7 and the other part were the items in section 36 of that subsection, so there is I believe maybe 16 items so if you would like I'll go over all of them and this is for car washes specifically, the designs should not interfere with pedestrian traffic and of course we do not have an access on main street so that's probably the most used sidewalk, we wouldn't interfere with that and when we see the site plan you will be able to see that. We do not store vehicles on the site, it's not like we are part of a garage or some other use, the employees go home in the evening and there should be no cars there. Unless somebody has a mechanical issue and couldn't leave and for part C, our convenient store is close by and not part of this project this is an independent development project, it's also separated by a public right-of-way of Hazel Street. So, I don't think any of the things apply for the service station, you typically will see a store with a car wash and everything, this is a car wash only. I would like to defer Section D as far as the site circulation because I believe the site plan will better explain that. All washing, drying wax process is all enclosed within the structure, which is, we meet that requirement. And as mentioned, the entrance and the exit to the car wash, they are facing, well on the city side, which is the lower left, that's just a snippet of the City on the lower left C2 commercial and the right is the Township Zoning map where we are facing general commercial across the public street. And again, I am thinking I should've showed the site plan first. But as far as the process where you vacuum, you might want to towel off your car we have spaces for that so we feel we meet that requirement. As far as the adequate provisions for steam and you know the process of washing the car, it is in a fully enclosed building, yes there is an opening where you enter and an opening where you exit, it's for the most part fully enclosed. And then for I-1 it should be arranged, and it will be that all the spraying is within the wash and for the exits we do have a trench drain that catches any water that might not have gotten removed through the drying process, that's also a safety factor when it's cold weather. Then for J, this one gets a little more technical, I would ask Andy maybe to refer to any questions on this but, this is about meeting all the state and local requirements for processing the water that's discharged we do have a reclamation system but that is not 100%
10. Gary: The reclamation system from what I understand is before you discharge
11. Lee: correct, but yeah you know we try to reuse some of the water because we don't like big water bills either (laughing). This is the last group here, we are not directly adjacent to a residential area, on the left is a restaurant and of course across is Bryn Mawr and on the right is Hazel Street Get-Go and of course on the opposite side of Main Street is other commercial uses and on the remaining property that L & K Holdings will retain, I don't know that they have any plans to change that, so it may remain asphalt or they may park some vehicles. The entire side will be asphalt or concrete depending on where on the site. I am going to show you the landscape plan and talk about the landscaping, same for the stacking spaces and for employee parking. So, we feel we meet those requirements unless we have overlooked or missed something. This is the site plan and because I can actually zoom in if we need to, I want to point out what's highlighted in yellow down the center of the site is the Township City line with the city on the left and the township on the right and we measured it, it's within a couple square feet, it's amazing how equal it is and the building is almost equally split although a few more square feet are on the city side. So, along the bottom of the page, I am going to see if I can zoom in a little. Of course, across the bottom is Main Street, on the right is Hazel Street from top to bottom, Get-Go is just off to the right and Bryn Mawr Street is on the left. There is an existing entrance on Main Street which we would be closing, ODOT loves that. So you will be able to enter off Bryn Mawr real close to main street, real close to the intersection we have an entrance, and here if you were just coming here to vacuum your car you could pull into one of these vacuum spaces, these vacuum spaces are set up so that you can vacuum from either side of your car so don't have to drag the hose over the top or something. Or you could proceed up here to the queuing area if you wanted to get a wash. What we have is two lines (talking to his partner about how to zoom in the document on the slide show)
12. Claire: oh, that's better
13. Lee: yeah, I wanted to show you the queuing and let me back up just a little bit. Okay this is the access or curb cut on Hazel Street. You get in the que, this is the pay port, we have two que lines, and these are the cars that are in the Que. One is for just people to get a car wash most likely with a credit card or debit card. The other one is for our subscription members; were you get a transponder where you are

getting unlimited car washes by the month. After they go through the pay point then they merge into a single lane and enter the wash on the Bryn Mawr side of the project, go through the wash and then come out. What I wanted to show was, depending on where you measure the que for the parking, we have a lot of spaces, in this case just for discussion purposes, maybe they should have been red or something, we have the cars coming around, you can start counting them 1, 2, 3, and it isn't until you get out here, and I made it red to kind of infancies, that it would take car number 17 till you actually had a failure, that's when a car might back onto the streets. That would be very, very unlikely I don't think very many people have that much patience, now if happened that the que wrapped onto the side it would be many more cars before it got out to the other side of the site

14. Claire: I have a question before we move forward, so the entrance off Hazel does that take you only into the que line
15. Lee: no in most operations we never have this many cars, but we like to build in that safety factor so that if everybody wants a car wash today, um it's usually, when people see a long que though, they will say oh I'll get it later or something, but no when you come in, you can go to the left if you maybe wanted to go to the office or just stop and vacuum up something that maybe the kids spilled in the back seat something, you could do that.
16. Gary: so you only have one entrance to this is that correct?
17. Lee: no, no you can enter here on Bryn Mawr
18. Gary: so from what I understood, you are going to be able to enter from Bryn Mawr Hazel Street
19. Lee: yes, looking at the site and how the majority of our sites flow, the majority of the people will use this entrance, you can see the wash and you would just pull a right and a right and you are in the site. I mention that we do have an opening here and it's striped "do not enter" that's in case that somebody came through the que and couldn't go through the wash, it's just an escape, it's not use very often but there is a way for them to get out because if you can imagine had to leave getting everybody behind you to back up would not be easy so we do create that little escape there. Now we have our single unit dumpster screening on the side here, a single container, a lot of time you will see two dumpsters within a screening and gates, this is just a single dumpster. I will just point out on the building here, that the office is here in front so maybe if you had an issue with your transponder or question, you can park in the regular spaces here and come over to the office. A lot of what you see now is pads, I think those were pads where they parked cars and they will be removed. I am going to jump to the landscape plan
20. Claire: will there be someone in the office every day?
21. Lee: yes so the car wash is always staffed even though the washing part is automated there is always a staff member there in case anything needs maintained. Everything in the shaded area is all landscape area so now I think all of it, there is a little bit of grass out there in the front area, but the majority of the site will actually go from paved and building footprint to landscaping. All the landscaping details are here if we want to look into that any closer. On the lighting plan, it's a little hard to read here, I would just like to point out on all property lines we certainly meet the Township and City requirements. This is one of the benefits of LED lighting over what was available years ago, because the lighting is directed downward we don't typically have much issue with spillover anymore, and the elevation is here, I'd like to show you the building elevations, the one on the top is the elevation facing west which would be Bryn Mawr Street this is the side where you enter the car wash on the bottom is the east elevation this is where you would exit the car wash, this would be the Get-Go side or the Hazel Street side. Longer view for the south elevation are facing the Main Street this is the elevation that you would see, and this is the office right here on the left. And this elevation on the bottom is the north elevation that will face the balance of the portion of the property that is not being redeveloped. There is a perspective view of it, kind of some different angles (still using slide show). What we have done is not have a basic boring rectangle box we kind of varied the heights a bit, the main bulk of the building is just a little over 18ft with a few accented power pits. This is the floor plan for the car wash, probably doesn't mean a lot to any of us other than there is a lot of stuff going on in there, but that's just the floor plan. So, I'll back up to the site plan, I kind of ran through this pretty quick, and would ask if there is any section you would like to go back to and take a closer look at? May I ask did you get a package of these drawings? Okay
22. Gary: how many people do you plan on employing?

23. Lee: Well we usually have 1-2 people at any given time and our normal hours are 7am-8pm, that's what most of our washes are right now, so it's usually about 10-12 people, depending on, it really depends on how many of them want to be part time vs full time.
24. Gary: could you speak to the tax base of how it's going to be divided?
25. Lee: That is a great question and I apologize I don't know that I don't know if it's based on building or lot
26. Gary: Brett, could you address that question
27. Brett: I will not give an answer, but I will look into it, I don't know how the city and the Township
28. Gary: we have the same situation at Walmart's you know on Route 59
29. Lee: hmmm that's interesting, I will point out that
30. Gary: I don't think the Township benefits too well from it, that's why I asked the question
31. Lee: that's a good question, I mean it's been a long time, but I remember another project I worked on, they decided to go with there the cash register was, this one municipality I think it was in northern Virginia, I think the used the cash register as the deciding point for meal taxes in that case
32. Brett: I know that had been done in the past in Geauga Lake back in the day, there were registers at this end that was taxed at one rate and registers at this end that were taxed at another, it was split right down the middle of the souvenir shop.
33. Gary: I recognize there is no one in this room that's going to correct whichever way it goes, I understand that, but the Township seems to take the backseat when it comes to taxation rates when we have divisions
34. Lee: so, you don't think there would be any way that it would be prorated
35. Gary: interrupts, I don't know, I'm asking the question
36. Lee: yeah I apologize I don't know that
37. Gary: Brett that will be a question of mine in the future, I'd like to have the answer before we decide how we are going to vote on this, but I don't think that that is possible
38. Brett: well the Township not collecting any income on retail, that will be dispersed by the County regardless, so
39. Gary: no that includes property tax and stuff
40. Brett: right, but not this cash register item, so would the auditor break that down?
41. Gary: I can't answer that, I don't know
42. Brett; okay so I will get an answer tomorrow
43. Lee: is Aldi's, do you know how they did Aldi's, they are probably split too
44. Gary: I can't answer that, I often wonder that, I don't know exactly where the Township and the City line is on Aldi's
45. Lee: yeah then this is taken from the online auditors site, it does show that the line jogs, it's just a little bit, but it's that green line, is the Township line, so it's probably a similar situation
46. Brett and Gary speaking (inaudible)
47. Gary: and based on, he's brought up the fact that the property is spaced almost 50-50
48. Lee: it's probably within
49. Gary: interrupts, so if the taxes are \$100, I'd like to see the Township get \$50 and the City of Ravenna get \$50, but in my experience in the last 5 years it has not been that way, that's why I am asking the question
50. JoAnn: yeah if you say it's going to be split by the cash register, you can put the cash register at any spot
51. Gary: well, that's on retail sales, I'm interested in the property taxes, but anyways that is a question that we can't answer tonight so let's continue on with your presentation
52. Lee: okay yeah
53. Gary: that is a question for the minutes though, I need that to be answered
54. Lee: I would've have guessed it was based on the improvements within that municipality, but I am not qualified to say that. So that is everything that have prepared to present. I hope I didn't go too fast; I would be very happy to go back and look at something closer or Andy or Liam would be happy to explain storm water runoff
55. Gary: let's see where the meeting leads up

56. Lee: okay
57. Gary: so, I did look at your landscaping map, if you treat your landscaping like you did the Get-Go, I think that that's totally acceptable
58. Remy: did you have any plans to merge these properties, all these parcels? Is that anything that the city might have mentioned in their piece, because you mentioned there are a lot of parcels
59. Lee: that would simplify things, wouldn't it? I would say we would like to do that to the extent of the division between the Township and the City, I don't know if that means two separate parcels, or it could all be one
60. Gary: I think you are asking the wrong group (laughs)
61. Lee: yeah
62. Gary: I think you are going to have to go through the building department, correct me if I am wrong Brett that the building department is going to have to make that decision. If you want to get rid of all those parcels and make it into one you are still going to have that dividing line, I don't know the city of Kent, I don't know how Franklin Township and Ravenna Township made that division with Walmart, I don't know how they wrote that up.
63. Brett: I don't know either, I can tell you that they are not happy with a building across a lot line I don't what they feel about a building over the Township City line. I had looked earlier this year, this project started back in oh early spring. It was never combined, re-platted, in fact this parcel even splits some of the sub lots so not there is no combination at this point
64. Gary: well do you remember Haasz owned all those parcels
65. Brett: yes, I do, under a different name
66. Gary: anything else Lee?
67. Lee: no
68. Gary: did I remember your name right?
69. Lee: you did
70. Gary: anything else?
71. Lee: no not unless there are any more questions
72. Remy: so, you mentioned that there are 5 parking spots, but then I see that there are also 2 handicap spots, so how many exactly would the total spots be. Is it 5+2 or
73. Lee: it's, here I'll zoom in on that a little bit. What we have is, we have one, and these spaces are 12ft wide, so you are able to open the doors and vacuum the car. So dimensionally this space right here where my hand is, that one is an ADA accessible spot, mainly the thing is you have to be very careful with the controls on the slope, other than that it's going to be very similar to the other spaces, the other handicap space is just for visitors or if an employee needed to use a handicap space. So, we have 4 regular and one handicap spaces and then of the vacuum spaces, one is ADA accessible
74. Gary: what kind of population do you see in those parking spaces normally at your other car washes, you got 16+5 so you got 21 one there, do you ever expect them to be totally full? Half full? Quarter the way full?
75. Lee: usually what we see, it really varies a lot, and I live close to one of these new tunnel washes, so I visit it often, and I find that it's about 50-60% occupied, now that's not an official survey or anything that's just my observance. What I do notice is, a lot of people that get the wash do not stop and vacuum, they just get the wash and proceed to leave the site. Occasionally, including myself, just a few times, go to just vacuum the car.
76. Remy: are you going to have City or Township utilities?
77. Claire: please re introduce yourself
78. Gary: along with that I do have a question of when you capture your waste, I understand it's going to go into a tank or a basin before you discharge? There again that's Portage County resources Remy, I'm sure
79. Andrew: hello again, I am Andrew Holsopple I am with BL Companies, I am the project manager for this project. So to answer our question about the sewage, or the sanitary waste, from the site plan here we would be connecting into an existing manhole that I believe is controlled by the county. (Looking at large site plan) we have our sanitary line connecting into here, I believe the way it was explained to me. The sanitary goes up this way then gets pumped to the city officially

80. Claire: is that basin on Main Street?
81. Andrew: are you asking storm water or are you asking sanitary
82. Gary: really both
83. Claire: both
84. Gary: with the sanitary, it has to be going to Main Street to the sanitary sewer, unless you are rerouting it over to Bryn Mawr
85. Andrew: no from our site meeting I believe it was explained to me that it connects to Hazel Street then runs up Hazel Street away from Main Street
86. Gary: so, where is your catch basin going to be
87. Andrew: alright to answer storm, you are correct it does connect into Main Street, so our catch basin is shown here, down towards the lower portion of the site plan, catch basin down here, two here off the que on the Hazel Street side of the plan and then we have additional catch basins on the other side closer to Bryn Mawr
88. Gary: and those two are storm sewers only
89. Andrew: correct they are, yes
90. Gary: they are going into where?
91. Andrew: they will connect into the existing system along east Main Street here
92. Lee: if it's easier Andy I can put that up on the here (the projector)
93. Andrew: so, you have catch basins here on this end of the site, will connect into an existing catch basin along east Main Street and then on the back side of the site you have a few catch basins that will connect down into here into this existing structure along east Main Street
94. Gary: but before you go to the sanitary, you have two lines that are for storm water
95. Andrew: correct
96. Gary: what's going in those two drain lines
97. Andrew: the drain lines from the building you mean?
98. Gary: you tell me, where is the water coming from, is it coming from surface water, is it coming from processing water, it is coming from roof water
99. Andrew: this is all storm water, so it will be surface runoff.
100. Gary: okay
101. Andrew: the roof leaders from the building will also be connected into the system
102. Gary: okay now go to the sanitary
103. Andrew: okay now the sanitary, it comes out of the reclamation tanks and then goes to the Hazel Street side and then
104. Gary: interrupts, where is your reclamation tank at
105. Andrew: they are right here in the island
106. Gary: they are on the inside?
107. Andrew: no, no they are exterior correct, yes, they are exterior, so you have the island here
108. Gary: now you have 3, are they working in tandem, are they collecting sludge or salt or wax or soap, what are they doing, are you separating? I want to know what's going into the sanitary sewer
109. Andrew: right so the used water would go into the reclamation tanks, and it would clean enough to be used for another wash or so. Then after the reclamation tanks there is an oil water separator and then after the oil water separator it would go into the sanitary sewer system.
110. Claire: so, the oil is collected from the water into one of these
111. Andrew: right here at the end of the system, yeah so you have the reclamation tanks, goes back through the wash, and the eventually exits the tanks, goes through the oil water separator and then into the sanitary lines.
112. Claire: so, the oil separator, is that tank then empty?
113. Andrew: it will be maintenance yes
114. Gary: how do you plan to control it, electronically, visually
115. Remy: how do you know it's working? How do you know when it's full
116. LAUGHING
117. Andrew: so, these are questions that I can't personally answer, however Lee can possibly

- 118.Lee: Lee May again, we have venders and they do them on cycles, based on the number of car washes, a lot of this is electronic now, they know how often they need to service it. It is done pretty regularly because we would not want any, we wouldn't want any fines for anything going wrong, but it also it wouldn't be good publicity, so we want to be a good Steward to the environment. Giant Eagle is really making a push to be environmental conscious, so this would be a high priority for us.
- 119.Gary: I can't answer to the Ravenna Sewer Department and I'm assuming that's where the waste is going from the car wash, in the Ravenna City Sewer?
- 120.Andrew: that was my understanding, it was going through Portage County I believe?
- 121.Gary: Portage County water resources
- 122.Andrew: yeah
- 123.Gary: but the sewage itself is going to Ravenna City I think, is that correct Brett?
- 124.Brett: according to my understanding, the sewer is going to be addressed by the County water department and incoming water, by Ravenna City, moving from a 2 in line to a 3in line maybe
- 125.Andrew: asking Lee are we upgrading to a 3in line?
- 126.Lee: yeah it depends on, a lot of that depends on the pressure and gallons per minute available
- 127.Gary: for the sake of not putting you 3 gentlemen on the spot, I would highly recommend that you have discussions with Portage County resource department because they are going to tell you the when force, the how force and the why force and how the material is going to flood to and it has to be tested, which you can do electronically, manual, they will tell you that also. As far as high points and low points in your business, I don't know how that's going to work for you, I think it has to be more in depth, and I would suggest that you make it more in depth because you might be washing 5 cars an hour today, but I guarantee you on December 23rd you are going to be washing hundreds and it has to be not periodically
- 128.Lee: right, that's what I said they know how many washes and how busy the system is
- 129.Gary: we don't need a sewer plant upset wherever it may be, you shut down the sewer system, you better shut down the water system too. I don't know who's in charge, the county the Township, the city but we cannot afford to have an upset sewer plant
- 130.Lee: understood
- 131.Gary: Portage County resources should guide you on that
- 132.Lee: and I am sure here will be a full review of the details to get a permit really.
- 133.Brett: Lee is it? The other two gentleman and I met with 4 or 5 other people maybe July onsite and we spoke with Mr. Finney, we spoke with a gentleman from water resources we spoke to Fire Department personnel, there was about 8 of us there
- 134.Andrew: Portage County as well
- 135.Brett: right, so at that time we pretty much hashed it out, in my other emails we even got down to the Fire Chiefs of the City and Township getting together hashing out who might be responsible for the inspections and other things. So, I know Mr. Finney's on board, several other people from water resources, the engineers and different County agencies are all involved so. I know that we had water resources guys out there with us, you guys were talking about different catch basins went off to the east side and were trying to define which way the storm water would run and where those collection places were, I mean were out there probably an hour to two hours, so I know those things on the plans as well were pretty much addressed in middle July.
- 136.Gary: see for your education purposes, Ravenna Township and Ravenna City have good relations as far as fire protection and EMS groups so
- 137.Lee: okay
- 138.Gary: you know you call one you really call them both, things that you can't see bothers me and that's why I worried about wastewater. And did I hear you right that you are going to use reclaimed water to wash cars
- 139.Lee: it's a blend of reclaimed water and fresh water, we do use quite a bit of water, we design it, now remember as you are all well aware you are you to use a lot more on a snowstorm in January then maybe you would today, we design it to be actually around 9,000 gallons per day. It's a water user, well that kind of its design to be able to handle those higher volumes, they average is around, closer to, don't quote me, I think it's around 7,200 gallons if you annualized the average.
- 140.Gary: so, the car wash, are you geared to wash the underneath side of the cars?

- 141.Lee: depending on which wash options you select, yeah there is a menu of different types of washes and of course the price goes up with the more deluxe, and the same with the subscriptions, you get a different wash package with different subscriptions
- 142.Gary: anything else?
- 143.Lee: no unless there are some more questions, any concerns that we can address, well noted on the water and sewer
- 144.Gary: anything more that you want to present any of the 3 of you?
- 145.Gary: anything from the audience, anything from the neighbors, neighbors could be Get-Go convenient store or Giant Eagle
- 146.JoAnn: or Pizza Hut
- 147.Lee: yeah, Pizza Hut to the west
- 148.Gary: okay thank you
- 149.Lee: should I leave this here in case anything comes up in discussion? (Referring to slide show)
- 150.Gary: we are going to see if we can bring a motion to the floor, (talking to the board) I can't think of any stipulations, do you Remy?
- 151.Remy: I am curious about what the City wanted for their side; Brett are you aware of the City Conditions?
- 152.Brett: no, I saw just in the Record Courier, maybe 4 or 5 days ago, their headline was the car wash was passed by the planning commission with the notation that it would still have to approved by the Township, there were not any particulars about any stipulations they put on them. You gentleman would know
- 153.Andrew: that was essentially the only stipulation was that it need to be approved by the Township
- 154.Brett: they had no other recommendations at all
- 155.Andrew: they were really concerned with the landscaping, so that was brought to their attention as well, we committed to the landscape plan so.
- 156.Gary: and they didn't ask you fellas about taxation rates or anything
- 157.Andrew: no, I don't think that came up at all
- 158.Gary: hmmm God bless them
- 159.Lee: or I would've been prepared this evening
- 160.LAUGHING
- 161.Gary: amazing, and Brett, you and Mark and the Ravenna City Fire Chief, we're okay,
- 162.Brett: yes, I have an email
- 163.Gary: interrupts, the chiefs are okay and you're okay
- 164.Brett: yes, I have an email from the Chief here, Our Chief Kozak who mentions that they are working together on this, and they have done the same in the past when they considered the Aldi's on the South side of 59
- 165.Gary: it's a divided property also
- 166.Brett: it's a split property
- 167.Gary: I didn't know that, but okay
- 168.Brett: so yes, I can get you a date on that
- 169.Gary: I don't need a date, as long as it's been covered. Anything from the audience one more time, nope we are good? Do we have a motion?
- 170.Remy: well before that, the only thing I would like to see, I kind of had to do this with my own property, I had to have it merged with new construction, whether to merge to the City side or the Township, just to clean up the map. I don't know if that is something that we would do, like with my property, I had to merge mine, which was a Township stipulation for my property
- 171.Brett: and I thought it was odd too, I have been in contact with the tax map department for proposed Mylar since April and it was never produced it seems odd to me that they wouldn't have crossed off the boxes 1-9
- 172.Gary: I am surprised that Haasz didn't do it
- 173.Remy: well, it might be grandfathered, my original property was 3 parcels, for example I had to merge mine in order to build a new garage, you know in the prior zoning you didn't have to if you owned all three you were fine, what is happening, you wanted to build an oversized structure and then sell off the

vacant lots to make more money. That's why the stipulations are now if you want to build across multiple lots at least for residential that they be merged, Brett maybe you could look into that, because that was a stipulation as of years ago prior to this permit book, so maybe Jim remembers because he was the one who told me I had to do it

174. Brett; that is one of the conflicts in our code, that I want to bring before the BZA, earlier tonight we had something in the books about the size of the accessory structure that's amended over 200ft, trying to bring things in line for county standards, so that things are more consistent, another one of those issues where the section of our code that says if two or more lots are under common owner, that are transferred and are contiguous and are considered one lot. So, what would normally be a lot line here, as long as you own them now, the township considers the whole area. The county does not, if you try to build that shed garage or house over the lot line even if you own 9 in a row the County building department will deny it and send you to an appeal which likely will not go well. That's another thing in the code.
175. Remy: yeah I had to go in front of the county commissioners and have that approval with a re-survey and everything so I figure that you are getting a survey anyways, so it would be, there would be a cost I'm sure, but merging them at this time since you are already going to have the materials put together, I think it would make sense to maybe merge to the Township side or the City side, but then again there is no particular law I guess or ordinance that it has to happen, I don't think we can include it, to me it would just make sense if it's going to be one facility, that it would be viewed as one facility plus that would probably clean up some of the tax base issues. Because it would be these many feet and then these many feet
176. Brett: has anybody closed purchase on the land
177. Lee: no, we are in the due diligence period now, we are under contract
178. Brett: that contract goes back to December 8th, 2021
179. Lee: I don't have that offhand but that could be right
180. Brett: you know a Kevin Moss
181. Lee: yeah, Kevin is a broker
182. Gary: sounds to me like we are at a stalemate
183. Brett: from the beginning I hadn't understood why I hadn't seen a Mylar, why it hadn't been redrawn, again if they are contiguous lots for us it may be okay, the building department was on scene in July as well with the engineers and I, they raised no issue about lot lines, or constructing across the City or Township line or across any of these 9 lots, these was no indications that they wanted anything combined
184. Gary: I don't have any problem approving this, but these folks I don't want to create any legal problems in the future, so I think you need to have your legal check it out, between the county the City and yourself and whatever decision is going to be made is most probably not going to affect this board. I am kind of surprised the city didn't get more involved, that really surprises me
185. Andrew: they didn't even really discuss that
186. Gary: and you didn't get any questions like this at the city
187. Andrew: not about the lots no
188. Remy: for the city it's a permitted use so this might have been a proposal to the township so we are the ones that have to review and makes conditions because it's a conditional use for our side of it. Since they permit it and it meets all their requirements, then they would just stamp and move forward
189. Gary: so really what we are approving, or disapproving is your application and your application is for a conditional use. Do I hear a motion
190. Remy: I move we accept the motion BZA 2022-010 for the Wet-Go Car wash as presented pending the final lot approval and property line distribution, along with meeting all the sanitary sewer and storm sewer runoffs as proposed or it may need updated, sounds like there was a pipe issue there as well 2 in 3 in pipe, as long as they meet all of the Portage County water resource standards due to the high volume of water involved with this project and that would be it right?
191. Gary: I'll second it
192. MM: okay I would like to call the vote please, Claire; yes, JoAnn; yes, Remy; yes, Gary; yes, that motion has passed

193.Gary: okay thank you, you have 30 days for a chance of appeal if you don't agree with the boards direction or if there are any neighbors, I guess there is no neighbors, they also have the opportunity to appeal our decision

194.Lee: understood

195.ALL BOARD MEMBERS at once, Thank you very much

196.Lee: and we will look into the platting

197.Remy: is there any way we could have a 10-minute break so that we can stretch our legs?

198.Gary: we are going to take a 10-minute break