

PRESENT: Chairman Schwachenwald and Commission Members Kelly, Stavole, McCall, Litten and Commission Secretary Bohdan.

ALSO PRESENT: Director of Law Pokorny, Director of Public Service Patten and Asst. Law Director Schneider.

The meeting was called to order by Chairman Schwachenwald at 5:30 p.m.

Pledge of Allegiance.

Chairman Schwachenwald motioned seconded by Commissioner McCall to approve the minutes of the December 7, 2020 Planning Commission meeting.

Aye: Kelly, Stavole, Litton, Schwachenwald, and McCall.

Nay: None

DECEMBER 7, 2020 PLANNING COMMISSION MEETING MINUTES APPROVED.

Chairman Schwachenwald motioned seconded by Commissioner McCall to approve the minutes of the February 1, 2021, Planning Commission Meeting.

Aye: Stavole, Litten, Schwachenwald, McCall and Kelly

Nay: None

FEBRUARY 1, 2021 PLANNING COMMISSION MEETING MINUTES APPROVED.

Chairman Schwachenwald stated Director Pokorny would review the process for a Conditional Use Application.

Director Pokorny explained, "I issued a memo on March 31st to the members of the Planning Commission just as a summary regarding the new Chapter 1135 Conditional Use Ordinance that was passed by Council in January that became effective at the end of February. As you know, you were intimately involved in the review of all of the components of this ordinance and the referral to Council. I just wanted to give you a little bit of an overview. I don't want to go through it in detail, but what you have now is a format by which you can consider the conditional uses that are permitted in Chapter 1185 of the Codified Ordinances. If I could just refer you to a couple of places on the presentation. The second page, at the bottom, it says "Criteria for Conditional Use." That is contained in 1135.07 of our Codified Ordinance, and it provides 12 criteria established in the ordinance for considering and granting a conditional use to an applicant. In addition to that, if you go to the bottom of the next page where it says "Procedure," unlike the process we have used in the past, now, there has to be a report issued by an appropriate department of the City; a chief building official will almost always issue a report, in conjunction with Mr. Patten; the City Engineer will always be involved. From time to time, the Law Department may weigh in on the compliance of the applicant with the ordinance for your consideration, and there may be other reports that you will have access to well in advance of the meeting to help you frame your thoughts and your decisions. I am sure you will agree. This is something new. We have never really had a process like this.

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I could refer you to the packet you have in front of you tonight, which contains two of the documents that I referred to. You don't have to look for them now, but you will have them to refer to. The City Engineer issued a report, a short one, on March 23rd regarding the presentation you are going to hear tonight, and Mr. Surrella and Mr. Patten issued one on March 26th that lists nine additional conditions in addition to the general criteria that you have in the ordinance. You will notice, also, in your packet that the criteria for conditional use was contained in the ordinance, and in your packet, I think right behind the ordinance, there are questions that are framed based upon those criteria, and the applicant has to answer those, so you have more information from the applicant in advance of a meeting so it will help you prepare and frame your thoughts and your questions for the applicant. In the event you approve a conditional use or recommend one over to the Council, and council has its own process to go through, you should know that if the Council accepts and approves the recommendations of the Planning Commission, the Council then has to reduce their decision to a resolution authorizing the recommendations of Planning. The next step is that the applicant, the grantee of the conditions, must sign off in writing that they unconditionally accept the conditions that have been imposed by Planning and the Council. The importance of that is that in the event that they deviate from the agreed-to use and the framing of how it is to be used, that allows the chief building official to review any violations and report them back to the Planning Commission if necessary if they cannot be rectified, and then Planning can take some action and refer back to Council. Then, the end result is that we have an enforcement mechanism where the conditional use permit can be voided. So, we have a better policing power now through the whole system that is the result of all of that good work that the Commission primarily did and then the Council in approving. So, the real basis for this is that I just wanted to give you some highlights. If you get a chance, please read that summary in detail. It contains most of what the ordinance says. I just tried to condense it a little bit. The reason I am making this presentation is because the applicant you are going to hear from tonight, these conditions, this ordinance, would apply to what they are coming in to talk about. It would apply to them. Tonight, the applicant is just coming in to make a presentation to the Planning Commission. There is no decision making tonight. It is basically a presentation so you get the flavor of what they are going to come back and formally present to you at maybe your next meeting where we set up a public hearing, because you have to have a public hearing on the matter. Tonight, there is nothing for you to do but just listen to the presentation. If you have questions, it is appropriate for you to ask tonight, but you do not have to make a decision. After the Extreme Auto presentation, your agenda shows that we are going to adjourn into an Executive Session. That will not be very long, but I can tell you that it is going to be a little bit of a rehash of what we talked to Council about last Wednesday. We want the Commission and Council to be aware. It is about pending litigation, and we need to have both groups fully apprised of where we are. So, if you have any questions about this summary only, because that is what I talked about right now, I would be happy to take a question or two.

Commissioner McCall asked in regard to this understanding that this could be revoked if, for some reason, they are not using the conditional permit in the matter in which was approved and put on the books, is there a mechanism or standard operating procedure in place, or going to be in place, to review these on a biannual or annual basis to make sure that, instead of just waiting for somebody to complain – because most people won't even know that it is a conditional use, right?

Director Patten replied correct.

Commissioner McCall stated I think that we would need to have some type of standard operating procedure to say, "Within this period of time, these are the items that we have conditionally improved, is

there anything they are doing outside of the scope of this?" And, what is the remedy for them if they are outside the scope of it. What time frame do they have to get back into it or how long is it before you pull their permit? Those would be my questions to it. If you are going to put teeth to it, you should have some type of procedure to quantify it that anyone who gets a permit is meeting those obligations. Then, five years from now, there would be different people sitting in the chairs, no one knows that these were conditional approvals, and then it gets out of hand.

Director Patten responded I agree with you. If that would happen, if they are granted conditional use, they would be monitored to make sure everybody stays where they are supposed to. I foresee several conditional use coming before this body in the next several months, and they would be the same way if they are approved. But yes, we would watch them.

Commissioner McCall stated he thinks that recording of them and... I know it's going to be a legislative act, I guess, under resolution from Council, but my thought is that, again, five to ten years from now, we could have ten of these businesses in our City, we could all be gone, and someone should know that there is a file and there is a process to ...

Director Patten stated there will be a procedure and accountability.

Chairman Schwachenwald asked Mr. Patten, when will we see that?

Director Patten replied we will work on that before. As they move through the process, we will put something together for you.

Commissioner Stavole asked on the interoffice memorandum of March 26th, number 1 says that no auto sales should be conducted outside of the showroom. Is there a legal description for what the showroom is?

Director Patten replied it would be indoor sales only.

Commissioner Stavole replied I know that and you know that...

Director Patten stated we could type the language up however anybody wants it. These are just suggestions that we have taken. Marty actually worked on these ... and they come here – whatever this body would want would be added to it, and then if it makes it to Council, Council can also adjust that. Then, the final document would be drafted by the Law Department and brought back to Council, and everybody would have to sign and agree to these conditions.

Chief Building Official Surella asked Mr. Stavole, did number 9 answer your question?

Commissioner Stavole replied sort of, because it doesn't specify exactly what the showroom is. Your description of a showroom and my description of a showroom could be two different things. Same as the owner of the property. They could turn around and say that the showroom is the entire inside of the building. I am just throwing that out there. I don't want there to be any confusion between the person that owns the building and what they are trying to accomplish. We can all sit here and think that showroom means different things.

CBO Surella replied we are talking about interior only.

Commissioner Stavole replied exactly.

Director Patten stated we can get you a size of what it actually means. We can do that.

Commissioner Stavole replied that is all I am looking at.

Director Patten stated we could get an actual size of what that floor space is.

Stavole: That is what I was thinking – if you are doing that conditional property, is this the time when these questions should be asked and I don't know. That is why I was asking.

Director Patten replied no, I think that anything you think is relevant can be put in and then if you wanted to adjust it, we will adjust it as we move forward for final document.

Commissioner Stavole stated the other question I have is on number 5. There may be no more than 22 cars for sale including ...

Director Patten replied they may be that we will get 30 in there. We just put in a number. So, if they can sell 30 cars in there, they can put them in.

Commissioner Stavole replied I think that goes to the definition of what the size is.

Director Patten that goes with what the size is, exactly. So, we will get the size and we will also see what the car size is and how many we can get in there.

Commissioner Stavole replied perfect, thank you.

Chairman Schwachenwald asked if there were any other questions. Thanked Director Pokorny and stated great job on the summary.

Director Pokorny replied thank you for the attention.

Chairman Schwachenwald stated the first item on the agenda is consideration of conditional use application for Extreme Auto Pros at 6376 Pearl Road, application submitted by Abe Eadeh and Tim Tsirambidis.

Mr. Eadeh stated this is my partner, Tim, from Extreme Auto Pros located 6376 Pearl Road. Company history is 17 years in business now. Our business of auto detailing and we deal with the majority of the car dealerships across Northeast Ohio. Extreme Auto Pros operates offers a full-service auto dealership. We would allow all of these different services now versus just being detailing for [_____]. It would be auto sales, auto repair, window tinting. What is expected from Extreme Auto Pros the business and the property owner is at the property of 6357 Pearl Road. We are going to do business with professionalism and character. Parma Heights is a nice, clean city and we want to do our part to keep it that way. We plan on maintaining everything in front of the building and back of the building. Everything is going to be nicely groomed and looking nice all of the time. So, property use of the building benefit the City. Obviously, you have seen this building completely run down for many years, so it will be nice for the residents and nice for the neighbors. We can continue to restore the building. We have spent, so far, since we have owned the building, \$80,000 on the roof, painting the exterior, restoring the floor, refinishing, and interior painting. So, this is an ongoing expense that we are going to continue reinvesting

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in the building. So, why allow us to have a dealership and a showroom. Our reputation with all of the new car dealerships across town, from Maserati to Ford to downtown casino. We have relationships everywhere. We have done business with all of the big dealerships for the last 15 to 16 years now. Our reputation alone, we have provided great service. Our Google rating is almost 5 full stars with almost 200 reviews. The showroom in front will look similar to our fellow neighbors. Our community can feel proud of the economic development in the City. Last but not least, the increase in workers we would be generating for the City. Obviously, it is all about numbers. So, moving on to the next slide, this is our goal right here, gentleman. With us providing a full-service dealership that offers auto sales, auto repair, window tinting, and vehicle wraps, we would be on target to be adding about \$1 million in revenue our first year, with an increase of about 50% payroll. Not many companies do that – to do \$1 million in sales and be able to pay off \$500,000 into our employee's pockets. Year two will and beyond will be 10 to 15%. So, our goal is to keep increasing as we go. Customer experience, our customers will enter from the north side of the building only. There, they will be greeted by professional assistance, offering them the opportunity to take advantage of our sales and service. They are going to be visiting our media waiting area where they will enjoy free private WiFi. We are going to have little booths in front of the showroom where people can hang out and do their work from a laptop, almost like a bar stool with a couple of chairs, and have them in multiple areas in the showroom where they can hang out, enjoy Pearl Road, see the scenery, cars going by and all of that. There will also be free WiFi. The atmosphere will be absolutely beautiful. Tim and I are always going to have offices in the showroom, so when people walk into our showroom, they are not going to get an hourly wage employee coming out to greet them, they are going to get the owners. We are all about relationships. We want to shake hands with people, and we want to gain your trust, and we want to leave an impression on them. So, what I am going to dive into right now are some before and after pictures. What this was and what we have done already, just in the short year and a half. So, if you can see the top of the showroom right there compared to the bottom, we painted, we put our sign up, address, and some minor siding down the window. The roof, everybody knew the condition of that roof in the city, right? So, old roof, we put a new roof up there. There is another image of the new roof, on the other side of the showroom. We have already refinished the floor in the showroom. This is what it looks like now. It is very professional. We have an area that will be a receptionist. Next to that reception area, we are also going to have where our condiments are going to be such as coffee and condiments and things like that. Then, for landscaping, on the 15th of this month, our landscaping is going to take off. All of the grass and beds are going to get completely redone. The whole front is not going to be an eyesore anymore. There is not going to be weeds growing in the beds or any of that stuff. That is gone as of the 15th of this month. It is going to be about a 2 to 3-week process. So, we are open to questions.

Director Pokorny asked if they could go back to the slide you had of your showroom that is about 3 back.

Mr. Tsirambidis replied that is from the north door looking long way, so Pearl Road would be on your left.

Commissioner Stavole asked how many cars you think that you will be able to fit inside the showroom.

Mr. Eadeh replied we are thinking anywhere from 20 to 26, right around there.

Commissioner Stavole asked as an example, you have 30 cars in there, and someone buys a car in the middle of that path, what is the procedure for you to move a vehicle out. Is it going to be done after

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hours, and the neighbors are going to complain about it, or is it during the day, and then you guys are moving stuff in and out?

Mr. Eadeh replied basically it is always going to be done during business hours. We are not going to show up at 11 p.m. because somebody wants to buy a car. We are closed by that time. We are pretty much a 9 to 5 or 9 to 6 company. If someone wants to buy a car in there, as you can see, at the very end, there is a huge garage door, and the main man door also has the bigger door that most dealerships have that you can get a car through. So, both doors will open and cars can exit that way. The only reason for our cars to enter or come in is to show itself, that is it.

Mr. Tsirambidis stated so we both have families. So, we are not going to be like a traditional dealership that they are staying late on certain days. Like, they are open on Sundays. We want to go to church with our families. We close down on Sunday. So, we will be closing down at 5 p.m. It won't be like a traditional dealership that has 8, 9, or 6 o'clock on different days. It is going to be 9 to 5 Monday through Saturday, and Sunday we will be off. Most of our stuff is going to be online. We are promoting stuff online.

Mr. Eadeh stated everything is through internet these days. Between social media marketing and all of that, we are not too concerned about anybody trying to walk into our door to look at a car. We have been doing this for 20 years, and when we first started doing car sales, we started with an E-Bay multistore. So, I have been shipping cars all over the world for the last 20 years already, and it's just a phone call, the pictures are there, and now we have video now that we offer. It is a new technology. We are the first ones to bring it to Cleveland where we are going to offer 360 videos where people can have a virtual tour of the vehicle now, in and out, so it is really unique.

Commissioner McCall stated I didn't know much about your company other than your sign. I'm going to admit that. I did go online and read every one of your reviews on Google reviews. I want to commend you for not only the service you provide, from what I have read, but even if somebody was not satisfied ... I'm in sales so not everybody is going to be satisfied ... but you respond to it, and I commend you for that. I want to thank you for putting the money into the business. I have a question for Mr. Pokorny and Mr. Patten. They are applying for auto sales, but we should probably have some type of designation, then, if they are also going to do auto body, because I thought there was an ordinance in regard to auto body shops in the City as well. I'm not 100% sure of that.

Mr. Eadeh replied the body shop is probably 2 years down the line. Dennis and I have talked about it. It is not something that we are going to do immediately. We do have to put up another building for that.

Commissioner McCall replied I did not know if you were going to put that as part of your service area there.

Mr. Tsirambidis replied the existing building right now the way it is will not have a body shop in it. Our goal is, in the back, there is a space right there that we would like to do a body shop that has proper ventilation in there, because it is too old and narrow, and it would be more logical to do a new building.

Commissioner McCall stated that more people are buying cars on E-Bay.

Commissioner Litten stated I read the paper a lot, and I see a lot of times where cars get stopped for illegal tinting of windows. What exactly is it – when they do the front, the front tinted...

Mr. Tsirambidis replied Ohio has a law that you cannot tint the two front, but that law looks like it is going to change. Some people are saying that it might change. It is making it darker. So, the two fronts, you are technically not allowed to, but then the back, sometimes what people will do is, whatever they put on the front, the 50%, they will put on the back, which is already tinted, and that actually becomes darker.

Commissioner Litten asked you would not be doing that kind of thing just because it would be counterproductive to the business.

Mr. Tsirambidis replied correct, we would always be within the standards of the law.

Mr. Eadeh stated if the law now is 50% on the front, we are going to put 50% on the front.

Chairman Schwachenwald stated I just had my truck done, it is like fireworks. They can put on illegal tint, but you cannot drive around with it.

Mr. Eadeh stated that is exactly right. I have had police officers come up to me and say, "I want you to tint my windshield." I'm the one getting busted, not you.

Commissioner McCall asked you are saying that you are adding \$500,000 in payroll and \$1 million in sales, just looking at that number does not really make a lot of sense, other than I know that, based on what you are saying you are going to do here, it is most labor based, right? I mean, other than selling the vehicles, everything else you are doing is a labor-based service, right.

Mr. Eadeh replied you are exactly right.

Commissioner McCall stated I know that there is a relatively big markup on labor-based services everywhere. There is no doubt about that.

Mr. Tsirambidis replied we have raised that because of the way – unemployment is now we still can't find workers. We could probably hire another 8 workers right now. We have dealerships. We have Brunswick Auto Market. They use three dealership companies. They want to be exclusive to us because they love our quality and our turnaround time, and they want to do mechanic work and inspections, but we cannot handle it. We simply do not have enough... Online, on five different platforms, Now Hiring, and not one applicant. So, if you know people who are looking for work...

Director Pokorny stated I asked you to put that slide up because you are talking about your showroom. Before you came in, there was a question about the showroom. What is it defined as? What is it limited to? What is your concept of your showroom?

Mr. Eadeh replied I personally believe that the showroom has and always was and always should be, in my opinion, in a car dealership. There is no plumbing there. There are no drains. I cannot think of any other thing that could have gone in that showroom.

Director Pokorny replied I'm sorry, I wasn't being very clear. So, this is a diagram, I guess, that was in the packet. It shows that this is the traditional showroom that Doraty used years ago or Integrity. That is what it is limited to. It is not going to be expanded beyond that footprint.

Mr. Tsirambidis replied no, if we build anything, it is the body shop in the back of the building. We will not be adding anything to the existing building right now. Ever.

Director Pokorny asked adding and/or using existing space indoor to sell your vehicles.

Mr. Tsirambidis replied correct.

Director Pokorny reiterated it will all fit into this space.

Tim: Yes. That is the only space that we can – the whole back is all detailing, photo booth, and then the other area is a two-story building that has offices, our supply room, and then the customer waiting area and things like that.

Commissioner McCall stated I am looking at Item number 4. I almost think that is not a reality. It says no vehicles may be stored anywhere on the exterior grounds. So, that, to me, means no vehicle can be stored on the exterior grounds of your property 24/7. That, to me, is like impossible because, and you would probably agree with this as well, you have to move vehicles in and out. There are places and times when you are going to be detailing a vehicle that is going to be brought into the show room, and there are going to be times where you are going to have it parked outside. I know vehicles are parked out there today in your lot. So, I think that this statement that no vehicles may be stored anywhere on the exterior ground of the property is almost impossible.

Director Pokorny replied that is something that you can consider as you go forward. That is the recommendation now from the Building Official and you will have to work through that one.

Commissioner McCall stated I wanted to get their perspective of how many cars they have sitting on their lot outside.

Mr. Tsirambidis replied the cars that we would be selling, and we respect what you guys are saying, whatever we can fit in there would be the cars that would be selling. So, if we can fit 18 cars in there, and we go down to 12 because we cannot buy anymore, we will only have the cars in there because we are respecting the City to work with us with this situation. The cars that we have outside are all cars that are coming in for detailing or service.

Commissioner McCall replied I understand that, but this is a use permit to explore for your company, not for just auto sales.

Mr. Tsirambidis replied I didn't understand. I thought it was strictly for the auto sales.

Director Patten stated hold on for clarification. No. That is for auto sales. Any car that is being detailed from a dealership, they are plated vehicles or owned vehicles by other people. The City, we have sent vehicles down there to be detailed. They are plated vehicles.

Commissioner McCall asked if they are plated vehicles, it is okay for them to be on the lot?

Director Patten replied the dealership would have a dealer identification that they own that vehicle. They are not transporting the cars with no identification that they belong to somebody else. So, that would be for used car sales. *[Discussion on clarification ensues on this.]*

Mr. Eadeh stated we just had Brunswick Auto Mart tell us that they are full, could we send 50 cars down to your guys' place because you are going to detail them anyway. We do not have enough drivers, so they

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are actually taking a truckload and bringing them down to us, because they love our quality. We are excited about it.

Chairman Schwachenwald stated there already is a clarification in the works on that. It will be clarified by the next time you see it. There will not be any used cars sold off of the lot, only inside.

Mr. Tsirambidis replied correct, we will never write up a deal on a picnic table outside. We will be inside with the car you are selling.

Chairman Schwachenwald motioned seconded by Commissioner McCall to adjourn to Executive Session to discuss potential litigation.

Aye: Litten, Schwachenwald, McCall, Kelly, and Stavole.

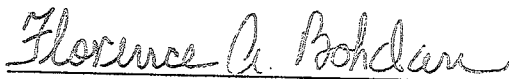
Nay: None

Planning Commission meeting of April 5, 2021, is adjourned to Executive Session at 6:10 p.m.

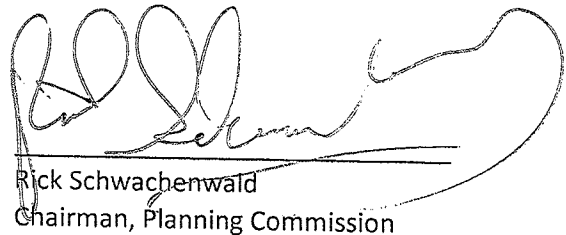
The Planning Commission reconvenes at 6:30 p.m.

Chairman Schwachenwald motioned seconded by Commissioner McCall to adjourn the meeting

The Planning Commission meeting was adjourned at 6:31 p.m.



Florence A. Bohdan
Planning Commission Secretary



Rick Schwachenwald
Chairman, Planning Commission