

**PLANNING AND ZONING
MEETING MINUTES
Mayfield Village
February 7, 2011**

The Planning and Zoning Commission met in regular session on Monday February 7, 2011 at 7:30 p.m. at the Mayfield Village Civic Center, Civic Hall. Chairman Jim Farmer presided.

ROLL CALL

Present: Mr. Jim Farmer Chairman
Mr. Garry Regan Chairman Pro Tem
Mr. Bill Marquardt
Dr. Sue McGrath
Mr. Casey Kucharson
Mr. Paul Fikaris
Mr. Joe Saponaro Council Alternate

Absent: Mayor Rinker

Also Present: Ms. Diane Calta Law Department
Mr. Tom Cappello Engineer Department
Mr. John Marrelli Building Commissioner
Ms. Deborah Garbo Secretary

Consideration of Meeting Minutes:

Nov 1, 2010

Mr. Regan, seconded by Dr. McGrath made a motion to approve the meeting minutes of Nov 1, 2010.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Kucharson, Mr. Fikaris
Nays: None

Motion Carried.

Minutes Approved as written.

PROPOSAL

**1) Conditional Use Permit / Special Use Permit
Renewals through Dec '2012'**

1. Ken's Auto Body
2. Dr. Jeffrey Eadie (No Action req'd)
3. Man's Hair Barbershop
4. Georgian Center
5. Noreen Londregan School of Dance
6. Lakeshore Dance & Gymnastics
7. Mt. Vernon Square
8. Progressive Ins. Claims Center

9. Governor's Village
10. Altercare Rehabilitation
11. Arthur Murray Dance Studio
12. Heinen's Foyer / Entry
13. Health 360
14. Hilton Garden Inn
15. Beta Drive Conference Center

ORGANIZATIONAL

ELECTIONS

Chairman Farmer opened the floor to a motion for Chairman, Chairman Pro Tem, Board of Appeals Representative, and Secretary of the P & Z 2011 nominations.

Dr. McGrath, seconded by Mr. Regan made the motion to nominate Jim Farmer as Chairman, Garry Regan as Chairman Pro Tem, Paul Fikaris as Board of Appeals Representative & Deborah Garbo as Secretary.

The nominations were closed. Chairman Farmer asked if there was any discussion. There was none. Chairman Farmer asked for a Roll Call on the nominations as a whole.

ROLL CALL:

Ayes: All
Nays: None

Motion Carried

Election of Chairman

Jim Farmer to serve as 2011 Chairman.

Election of Chairman Pro Tem

Garry Regan to serve as 2011 Chairman Pro Tem.

Election of Board of Appeals Representative

Paul Fikaris to serve as 2011 Board of Appeals Rep.

Election of Secretary

Deborah Garbo to serve as 2011 Secretary

OPEN PORTION

**Conditional Use Permit
Special Use Permit
Renewals through Dec '2012'**

Chairman Farmer called the meeting to order. Let's rehash our workshop meeting. Basically these permits are rubber stamped every 2 years as long as people comply with the conditions we set forth. There were issues with the Hilton Garden Inn and the Beta Drive Conference Center. They weren't totally compliant with what we laid out for them, specifically with using Mayfield Village Police for parties of 75 people or more serving alcohol. We went through

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several very good reasons why we require that. They took it upon themselves on occasions to not use Mayfield Village Police and hire Private Security Guards because they were cheaper. We also had some issues with parking which has been or is being resolved.

Mr. Marrelli replied the building owner who is Dollar Bank is working out the parking issue with the tenants. When the Conference Center has daytime activities, they're going to be cordoning off areas and saving spaces and supposedly hiring guards to direct traffic.

Chairman Farmer said the other issue was that Arthur Murray Dance Studio was having problems with their lease. Do we know if they've been operating?

Mr. Marrelli replied I understand they haven't been operating but nobody has come forward to tell anybody why they're not operating. We can't find anything wrong with the facility. We've been there numerous times. It looks fine. It's sitting there all dressed up.

Chairman Farmer said the Attorney that showed up for Dollar Bank said he (the landlords) didn't care particularly if we renewed their Conditional Use Permit or not.

Mr. Marrelli said if they cease to use their permit for 6 months, then it goes away.

Mr. Kucharson asked how we determine when the 6 months period starts.

Mr. Marrelli said we were notified they closed in Dec. So I guess the 6 months would start from when we were first notified. All the Conditional Use, Special Use Permits run concurrently and expire every 2 years in Dec. No matter when somebody gets one in that two year interval, even if they've had it for just 2 months, it expires in Dec and they're up for renewal with the rest.

Chairman Farmer said it would be fair to say Dec 31st to use as a starting point. There wouldn't be any argument with that.

Mr. Marrelli said I recommend because we don't have really any excuse not to, to renew the Dance Studio permit. They could show up this weekend and start up again. I wouldn't want to go on the record as pulling their permit for no cause. They haven't caused any trouble. They were doing what they were supposed to do when they were operating. I think there might be some ramifications down the road for the landlord, owners & other tenants. If we would pull the permit, they might come back to the landlord and say "We're going to sue you for disrupting our business because you told the Village we're not operating". I'd rather not get into all that. I don't want to be part of that tangled web between the landlord, owners & tenants. I would just renew it as if they were in operation. Come June if they never go back in, then we'll revoke the permit for non-use.

Chairman Farmer said after Diane uncharacteristically gave the Hotel / Conference people a tongue lashing, they kind of realized their ticket could be pulled. Their tune changed noticeably. If I remember correctly they basically left it as "We'll do exactly what you told us to do". So there's no reason not to renew them at this point.

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Mr. Marrelli agrees with Mr. Chairman. They have agreed to abide by the conditions set forth and cooperate with the Police Security.

Mr. Regan asked John if he'll notify everybody when their permit's been renewed.

Mr. Marrelli said yes.

Mr. Regan suggests when the Conference Center is notified, we were all here and all heard it, but maybe a reminder to them it's according to the permit conditions set forth. If I remember, they were going to communicate with the chief.

Mr. Kucharson asked about the conditions.

Mr. Marrelli said one condition was when they have parties of over 75 people serving alcohol, they have to hire Off-Duty Mayfield Village Police. They took it upon themselves to hire Private Security because it was \$12 / hr vs. \$35 / hr.

Mr. Kucharson asked about the agreement notifying the Fire Chief with a calendar of events.

Mr. Marrelli replied that's a different thing. That's to cooperate with the Fire Dept so we don't have huge assemblies at the Conference Center during the day where they may have too many people in there or displays blocking hallways. The Fire Dept requested a list of events so they can go in before the function and make sure there aren't extension cords everywhere and tables aren't blocking doorways, that sort of thing. The Conference Center will do a Mon e-mailing of future events. That is not a condition, but they've agreed to do it.

Mr. Kucharson asked, do we have to amend the Conditional Use Permit?

Mr. Marrelli replied no. That's a functional agreement.

DECISION

Mr. Fikaris, seconded by Mr. Regan made a motion to renew all Conditional Use / Special Use Permits as presented.

Chairman Farmer asked if any discussion.

There were no comments.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Kucharson, Mr. Fikaris

Nays: None

**Motion Carried
Recommendation to Council**

ANY OTHER BUSINESS

Chairman Farmer asked if we have any items for the Feb 17th workshop.

Mr. Marrelli replied we have the consolidation, lot split for the Library site, 500 SOM. We also have a Special Use Permit for a Hair Dresser & an Aesthetician. It's 400 sq. ft at 6449 Wilson Mills. The 2 girls are going to have ½ an office each. It's at George Argie's building @ Wilson Mills and Beta. They'll do hair and skin care.

ADJOURNMENT

Mr. Regan, seconded by Dr. McGrath made a motion to adjourn the meeting.

ROLL CALL

Ayes: Mr. Farmer, Mr. Regan, Mr. Marquardt, Dr. McGrath, Mr. Kucharson, Mr. Fikaris

Nays: None

Motion Carried.

Meeting adjourned at 6:50 p.m.

Chairman

Secretary