

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
Mayfield Village
March 2, 2020**

The Planning and Zoning Commission met in regular session on Mon, March 2, 2020 at 6:30 p.m. at the Mayfield Village Civic Center, Civic Hall. Chairman Syracuse presided.

Roll Call

Present: Mr. Vetus Syracuse Chairman
Dr. Sue McGrath Chairman Pro Tem
Mr. Allen Meyers Council Rep
Mr. Jim Farmer
Mr. Paul Fikaris
Mr. Jim Kless

Also Present: Ms. Jennifer Jurcisek Council Alternate
Mr. Anthony Coyne Law Director
Mr. John Marquart Economic Development Manager
Mr. Tom Cappello Village Engineer
Ms. Deborah Garbo Commission Secretary
Police Chief Paul Matias
Fire Chief Gino Carcioppolo

Absent: Mayor Bodnar
Mr. John Marrelli Building Commissioner

Consideration of Meeting Minutes: Dec 2, 2019

Mr. Kless, seconded by Mr. Fikaris made a motion to approve the Minutes of Dec 2, 2019.

ROLL CALL

Ayes: All **Motion Carried**
Nays: None **Minutes Approved as Written**

PROPOSALS

1. **Consolidation Plat** Montebello Subdivision - Highland Rd.
Polaris Engineering

2. **Conditional Use Permit** Allison Seltzer
Microblading
6449 Wilson Mills Rd. - Villaggio Suites

3. **Conditional Use Permit** Barkour (Indoor Dog Park)
Brad Roskoph, CEO
740 Beta Dr.

ORGANIZATIONAL 2020

- **Election of Chairman**
- **Election of Chairman Pro Tem**
- **Election of Secretary**
- **Election of P & Z Rep to the Board of Appeals (Vetus Syracuse)**

Chairman Syracuse states, currently I'm serving as the Chairman, Dr. Sue McGrath is serving as the Chairman Pro Tem, Debbie Garbo is serving as the Secretary and I'm also serving as the P & Z Rep to the Board of Appeals.

Chairman Syracuse opened the floor to a motion for nominations. I'll defer to the members whether you want to nominate for all the positions as a whole or take them one at a time.

Mr. Kless, seconded by Mr. Fikaris made the motion to nominate the same slate as a whole.

Chairman Syracuse asked if there was any discussion. There was none.

The nominations were closed.

Chairman Syracuse asked for a Roll Call on the nominations.

ROLL CALL:

Ayes: Mr. Syracuse, Dr. McGrath, Mr. Meyers, Mr. Farmer, Mr. Fikaris, Mr. Kless

Nays: None

Motion Carried

Vetus Syracuse to serve as 2020 Chairman.

Dr. Sue McGrath to serve as 2020 Chairman Pro Tem.

Deborah Garbo to serve as 2020 Secretary.

Vetus Syracuse to serve as 2020 P & Z Rep to the BOA.

Chairman Syracuse concludes the Organizational portion of the meeting.

OPEN PORTION

Chairman Syracuse states, this is a regular meeting of the Mayfield Village Planning & Zoning Commission, Mon, March 2, 2020. We have three proposals before us tonight. I was not at the workshop meeting, I read through the minutes.

**Montebello Subdivision
Highland Rd.
Consolidation Plat**

Chairman Syracuse said, I understand it's your volition to refer this to Council for approval, is that correct Mr. Coyne?

Mr. Coyne replied, yes.

Chairman Syracuse asked, any discussion? There was none.

DECISION

Mr. Kless, seconded by Dr. McGrath made a motion to approve the Consolidation Plat for Montebello Subdivision, Highland Rd for applicant 345 Miner Road, LLC as submitted.

ROLL CALL

Ayes: Mr. Syracuse, Dr. McGrath, Mr. Meyers, Mr. Farmer, Mr. Fikaris, Mr. Kless

Nays: None

Motion Carried

Recommendation to Council

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**Allison Seltzer
6449 Wilson Mills Rd.
Microblading
Conditional Use Permit**

Chairman Syracuse said, the second proposal is by the applicant Allison Seltzer for microblading at 6449 Wilson Mills Rd. I've read the minutes and I understand this is very similar to the other microblading we've already approved as a conditional use in the Village, in the same location. Is that correct?

Mr. Fikaris replied, that's correct.

Chairman Syracuse asked, any discussion? There was none.

DECISION

Mr. Farmer, seconded by Dr. McGrath made a motion to approve the Conditional Use Permit for microblading at 6449 Wilson Mills Rd for applicant Allison Seltzer as submitted.

ROLL CALL

Ayes: Mr. Syracuse, Dr. McGrath, Mr. Meyers, Mr. Farmer, Mr. Fikaris, Mr. Kless

Nays: None

Motion Carried

Recommendation to Council

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**Barkour (Indoor Dog Park)
Brad Roskoph, CEO
740 Beta Dr.
Conditional Use Permit**

Chairman Syracuse said, the last proposal before us tonight is a conditional use permit for Barkour, indoor dog park. I understand that there were a couple of next steps being performed

after the workshop meeting. We did receive a memo from the Fire Dept and the Police Chief and we do have updated plans from the applicant showing where the dog wash station would be located. The Law Dept was going to look into other communities to see what's been done with respect to the factors that have been considered and conditions that have been placed on uses, the ratio of dogs and interns and what the standards are. Mr. Coyne, do you want to fill us in on anything?

Mr. Coyne replied, I can report back that there's not a lot to report on. But this is a growing use for flex space in semi-industrial buildings that are being utilized in this way. There's several of them in affluent suburbs. There doesn't appear to be a lot of regulatory issues involved. In Police Chief Matias' memo, other issues that involve regulating dogs and animals are still applicable. So, in terms of Vicious dogs, if there's incidents with dogs, if they go on people's properties, those are still applicable. In terms of regulations for this, there's not a lot.

Chairman Syracuse said, if there's anything the Police or Fire Dept would like to add.

Chief Matias said, like I pointed out in my memo, I didn't have the opportunity to do a lot of research on these as far as how they've worked out in other communities. As I pointed out in my memo, I don't see by having something like this in the Village that it would be an immediate threat to public safety. But I think there are a lot of unintended things that could come out of having a large concentration of animals being captive inside the kind of facility that it is. If a dog attacks or bites someone, if a dog bites another dog and the police get involved, there could be other things that could come out from there. Naturally that would be a concern for us as far as what's going on in the facility. Also, I think Assistant Chief Libens mentioned about the increase in traffic and having the animals in that industrial area, assuming they'll always be on a leash or always be under the control of the owner, naturally we'd like to think that'll happen all the time but we all know it doesn't. Most of my concerns are just what happens when you have a lot of animals in an area like that.

Chief Carcioppolo said, I'm going to speak on behalf of Assistant Chief Libens memo who couldn't be here tonight. I agree with Paul about the increased density of traffic in our industrial park. I can tell you I've seen it in other properties. Part of this is actually more of a reminder to this Commission that when you guys grant a conditional use permit, even though it has a two year time limit, to be cognizant of the impact that it has because I've seen these conditional use permits impact other businesses that were truly supposed to be on Beta Dr. With that being said, this particular conditional use permit is going to change the occupancy type and Assistant Chief Libens underscored that in his last sentence. The current sprinkler system is going to have to be evaluated for code compliance to protect people other than the commodities because it's going to be turning this warehouse space into an assembly space. So that's going to require some intervention from a Fire Protection Engineer. That's something for the land owner and the occupant to consider when looking at the building because it is changing the use of the space. That's one major concern and the other one is the traffic in the parking lot because I don't think the conditional use permits handle problems when they're all in one commercial address. When you start to mix multi tenants on the same property, that's where it seems to interfere with each other. That's all I have unless you have other questions.

Chairman Syracuse said, whoever is here on behalf of the applicant, if you'd like to state your name and address for the record and respond.

Brad Roskoph introduced himself. I'm the CEO of Barkour, my address is 35205 Aurora Rd, Solon. I appreciate both of you for responding so quickly in providing your feedback. As far as the fire system goes, we are very prepared to make any amount of modifications necessary to make sure that everybody is safe. That's something we've already discussed with our Architect as well as with our contractor. As far as the assembly of various different dogs in one space, we will have a screening process before any dogs are allowed into our facility. Before they come in, we're going to have their Vet records, they're going to need to pass a personality assessment to make sure they get along with others. We're going to have professionals that are going to perform that service for us. As far as the dogs and the traffic and walking around outside, if it would be a preference of the city and with the building owner's permission, we'd be happy to put up necessary signage, or do anything we can to make everybody safe. We'd be more than happy to do whatever's necessary to direct traffic and educate our customers.

Mr. Coyne said, Mr. Roskoph I was not at the workshop session, what is the number of dogs that would likely be there? Do you run another operation like this anywhere?

Brad Roskoph replied, this is going to be the first of this kind.

Mr. Coyne asked, what sets this apart from the typical doggy daycare?

Brad Roskoph replied, excellent question. When it comes to the indoor dog park, dog owners are going to have a little more responsibility unless they are directly hiring Barkour as a doggy daycare, then they're going to be primarily responsible for their dog. We will have what we're calling referee's, trainers, professionals in the dog park to make sure everybody is safe, assess any aggressive behavior of pack mentality and mitigate it appropriately. This will also be attached to a co-working space. When the dogs are in the dog park, then they're allowed to be off leashed. But when they're in the co-working space, then they're going to need to be unleashed and in the direct charge of their owners.

Mr. Coyne said, so the co-working space is separate. So the dogs are with their owner generally speaking in the dog park.

Brad Roskoph replied, primarily. But we will have other professionals making sure that the dogs are behaving.

Mr. Coyne asked, how many dogs in the dog park do you envision?

Brad Roskoph replied, on the busiest days we're looking at 60 – 75.

Mr. Coyne asked, the number of personnel that would be available in the dog park?

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Brad Roskoph replied, it's going to depend, similar to a child daycare, their regulations as far as the ratio of children to teacher. We're going to have similar policies.

Mr. Coyne asked, what would that ratio be?

Brad Roskoph replied, we have a consultant that we're working with that's going to help advise.

Mr. Coyne asked, so you haven't determined the ratio of personnel to dogs?

Brad Roskoph replied, that's correct.

Mr. Coyne asked, the hours the dogs will be there, hours of operation?

Brad Roskoph replied, right now we're looking at approximately 8:00am to 9:00pm with adjusted hours on the weekends.

Mr. Coyne asked, can you pick up or drop off a dog and not be present?

Brad Roskoph replied, you can if you're hiring Barkour as an indoor dog park which we'll have limited doggy daycare capabilities in which case you could drop them off.

Mr. Coyne asked, how long could dogs stay there?

Brad Roskoph replied, normal business hours.

Mr. Coyne asked, do dogs have to be leashed from the vehicle to the building?

Brad Roskoph replied, absolutely.

Mr. Coyne asked, do you feed the dogs while they're there?

Brad Roskoph replied, if they're in doggy daycare and the owners provide food then we'll feed them, otherwise no.

Mr. Coyne asked, can you elaborate on the co-working space?

Brad Roskoph replied, it's an open office space that you can utilize desk space. We'll have several offices that you can reserve short term. We're going to have an open landscape, so that your entrepreneurs, your freelancers, your offsite workers will essentially be able to bring their dog to work. We'll have wi-fi available and coffee.

Chairman Syracuse asked, any other questions or comments?

Mr. Fikaris said, you mentioned in your presentation at the workshop that 75 dogs per day would be the maximum. One of my concerns is how do you control that number? What happens when more than 75 dogs show up?

Brad Roskoph replied, we've been discussing different ways to communicate that. It's going to be, if a dog leaves, then another dog can go in. But once we've reached maximum capacity then that's it. We're going to have to advise our customers to call ahead. As we get more metrics of use then we'll be able to communicate those to our customers. Keep in mind, that's in the indoor dog park. We can allow people with their dogs on leashes to do activities in the co-working space and then as a dog leaves, another can come in. That will be monitored by our referee's.

Mr. Fikaris said, I think the Fire Dept would need to know some sort of range of people and animals and it has some sort of limitations on that ratio. You said that you would need 130 members initially to be successful and you mentioned 130 members additionally a month. What do you think capacity would be for membership?

Brad Roskoph replied, to operate appropriately we would need about 130 to start with, a 5% turn rate increasing at a rate of 20 – 30 a month moving forward. That would help grow the business. What was the other question?

Mr. Fikaris said, you said 75 maximum capacity in the doggie daycare but there could be more if somebody wanted to just go to the co-working station. Is that correct?

Brad Roskoph replied, that's correct. The 75 figure, that's the number of dogs and that's in the indoor dog park. We're anticipating about 25 for the doggy daycare which leaves 50 dogs to fluctuate. As far as the co-working space, I haven't determined the number of coworkers, I could follow up on that.

Mr. Fikaris said, we talked about the concern of waste indoors, the visible waste. We didn't talk about the nonvisible waste and how that's handled. That was one of my concerns, especially when you mentioned something about food being available to clients at that location.

Brad Roskoph replied, yes. Food would not be allowed inside of the indoor dog park, that would be strictly prohibited. We'll offer in a very strict location small bites that will not be prepared on site, those will be brought in for the people. As far as the unseen waste, the intention is to have potty stations above drains in the indoor dog park. That will direct the dogs to use those stations, we have various different methods to do so. Those will be easily cleaned up, easily watered down, that would go directly into the drain. We have various different cleaning agents that we're going to use.

Mr. Fikaris said, you said when you get to capacity folks would be turned away, so you would encourage to call ahead. But there might be folks that could show up anyways, that could be a traffic issue. That's maybe not a great thing, people showing up and you have to turn them away.

Chairman Syracuse asked, how are the people and their dogs going to be checked in? Is there going to be someone physically checking them in and registering, do they have a pass that they swipe? What's your intention for that?

Brad Roskoph replied, excellent questions. As far as the dogs coming in and being turned away, there are different options available to us such as putting on the website if we're at capacity. As far as the checking in, we're going to have corrals. When dogs come in, they won't be able to just run through the door, there will be a corral for them to come through. We'll have somebody physically checking them in, it'll be electronic, similar to a gym pass. We'll be able to monitor who and how many are there.

Chairman Syracuse asked, are the dogs going to have some kind of device on them if they're a member to keep track of them?

Brad Roskoph replied, yes.

Mr. Meyers asked, will there be an entrance directly into the dog park or are they all going to have to go through the main entrance?

Brad Roskoph replied, there will not be an entrance directly into the dog park. They'll have to go to the front to register.

Mr. Coyne asked, how many dedicated parking spaces are there for this?

Denise Hahn on behalf of the landlord replied, there's a lot there.

Mr. Coyne said, it's a 40,000 sq. ft. building and this is only ¼ of it. I'm just wondering in terms of parking spaces available. Are the parking spaces directly adjacent to that tenancy?

Brad Roskoph replied, there are 8 directly adjacent to our portion of the facility and we were assured that there's plenty more throughout the area.

Mr. Coyne asked, has that been presented to the Building Commissioner yet?

Denise Hahn replied, we haven't gotten that far yet.

Mr. Coyne said, when you talked about the drains and hosing it down, does the drain system have to change? Is it going to the sewer system, into the sanitary?

Brad Roskoph replied, the drains are already there.

Mr. Cappello said, interior drains go to the sanitary sewer.

- **Discussion to Vote or Table**

Chairman Syracuse asked, is there any additional information anyone would want before we make a determination? We could table. I think we might have enough information to make a decision.

Mr. Farmer said, this is a unique situation, the first time here and really throughout the area. I understand some of the concerns but it seems like something that could be useful to the area with all the workers we have around here, we've got Progressive people that I think would take advantage of it. I understand the concerns but we're kind of just guessing and it is a two-year permit.

Chairman Syracuse said, we have the guidelines which were addressed in the application. They were discussed at the workshop meeting, ten factors that we're to consider in whether or not to grant a conditional use permit. Some of these work in their favor as far as #8; Will provide benefits to the community i.e. medical, educational, technical, retail because, at least to some degree, the proposed use is not currently available in the Village or that the community is underserved by the type/use being proposed". But again, we have concerns from our Law, Police and Fire department. The concerns and the factors are something we want to consider when taking the vote.

Chairman Syracuse said, if there are no further questions or comments, at this time I'd like to entertain a motion to approve the conditional use permit.

DECISION

Mr. Kless made a motion to approve the Conditional Use Permit for Barkour Indoor Dog Park at 740 Beta Drive contingent upon the list of items listed by the Law Dept.

Mr. Coyne said, if that were the case, I'd almost recommend you table it. This is not really a doggy daycare. I'm a dog guy just so you know. When you think about having dogs in such facilities, they usually have a place where the dogs can roam free and they have handlers in case there are problems. They also have kennels so they can kennel a dog if the dog's a problem or if it's going to be there for more than six hours. I don't think that's what this is. I'd be glad to do that if the Commission directs me to prepare conditions, I'd be glad to do that, but I have to get my hands around exactly how it's going to operate, this is unique. Is there one like this in Northeast Ohio anywhere?

Brad Roskoph replied, in Northeast Ohio this is a first. It will be unique. We'll have what we call a penalty box, if there are some particularly ornery dogs, we'll have an area for them to calm down. We are going to have a zero tolerance policy.

Mr. Kless said, from a doggy daycare point of view, it'll be like an existing doggy daycare business, but you'll also have all the others i.e. leash walking and all the other perks you mentioned.

Brad Roskoph replied, yes.

Mr. Coyne said, it's unique enough that I'm not sure what conditions I'd be looking at. It's probably going to be a lot of what regulations he's going to self-impose, like the personnel ratio of personnel to dogs. That's not been determined yet, you said you're working with a consultant, is that right?

Brad Roskoph replied, yes.

Mr. Coyne said, some of that is what I'd like to know. Are you in any kind of a hurry on this?

Mrs. Roskoph replied, we'd like to be open by fall to get ready for weather.

Dr. McGrath said, my concern-

Mr. Coyne said, we have a motion on the floor, is there a second on further discussion?

Mr. Kless states, I withdraw my motion.

Dr. Sue McGrath said, while you're looking into things, I've never been to a doggy daycare. I'm very much a dog person, I do agility with my dog, I've been to a lot of other dog facilities but never a daycare. I cannot imagine being in a place with 75 dogs, other than the big Convention Center Downtown.

Mr. Coyne said, I can think of a half dozen locations mostly in Cleveland of doggy daycares. Many of them are in semi-industrial buildings. They have different places for small dogs, big dogs, they have kenneling, dog bathing. The dog thing is really becoming a huge business. I don't know if you've ever heard or been to a place called The Barkley. It's a doggy hotel, I'm not kidding you, they have a pool, you've got to see it to believe it and it's expensive. They have video cameras where you can watch your dog. It's changing. This is unique, the co-working space. Most of these businesses require the dogs be leashed going in because you could have problems if the dog gets away and if you have other businesses nearby with people walking around. You just want to be mindful. I think it's an interesting entrepreneurial business adventure. We just want to make sure this is done right. If you want me to put conditions on this, I can meet with the applicant to do that.

Mr. Fikaris said, I'd like to see if there are any statistics surrounding these facilities. We had a proposal for a recreational facility and we were informed by the Safety Services about increase on their load. I'd like to see if there's been any problems with these. Also, your liability, maybe that's not our concern but maybe for the Village, if there's any additional liability there, if someone gets bit by a dog.

Brad Roskoph said, it would be similar to, you could bring your dog with you to Pet Smart.

Mr. Fikaris replied, and I've been trying to find statistics on that. I know dog owners that say they choose not to visit that potential volatile situation, because it's not their dog. I respect what you're trying to do, I'm just trying to make sure we address everybody's concerns and there are many. We didn't really discuss this, but you said your desire is to use developmentally disabled or challenged folks to help to assist. There's that whole thing about how you get 75 dogs and x number of people in an emergency situation out of there. What's the plan there, is it adequate, exists? I know some of these questions you may or may not be able to answer.

Brad Roskoph replied, some of them can be answered. You mentioned with doggy daycares you'd have a large number of dogs per a certain number of employees, they need to have evacuation plans as well and we're going to have something very similar.

Mr. Coyne said, you said you wanted to open sometime in the fall, the next meeting of this Board is on April 6th. We can get together between now and then, we probably want to have John Marrelli available and see about some of these conditions. What the Commission was recommending is that there would be an approval, there would be conditions which you would have to acquire to or your permit could be revoked. What you're saying about the ratio of personnel to dogs makes sense to me but I don't know what it is, so I can't draft something when I don't know what it is yet.

Chairman Syracuse said, we can make a much more informed decision if we have that. At this time, I'd like to entertain a motion to table this.

DECISION

Mr. Kless, seconded by Mr. Fikaris made a motion to table the Conditional Use Permit for Barkour Indoor Dog Park at 740 Beta Drive.

ROLL CALL

Ayes: All

Nays: None

Motion Carried

Proposal TABLED

Brad Roskoph said, we did consult with our consultant and it's 2 personnel to 25 dogs.

Chairman Syracuse said, you could have the discussion with our Law Dept and our Building Commissioner.

Mr. Coyne said, we'll set up a time in the next week or so to meet with you on that and we can work out those conditions.

Brad Roskoph replied, O.K., thank you.

ADJOURNMENT

Mr. Fikaris, seconded by Mr. Farmer made a motion to adjourn the meeting.

ROLL CALL

Ayes: All

Nays: None

Motion Carried

Meeting adjourned at 7:05 p.m.

Chairman

Secretary