

**PLANNING AND ZONING COMMISSION**

**Workshop Meeting Minutes**

**Mayfield Village**

**June 17, 2021**

The Planning and Zoning Commission met in workshop session on Thurs, June 17, 2021 at 6:00 p.m. **remotely, via electronic means.** Chairman Syracuse presided.

**Roll Call**

**Present:**

Mr. Vetus Syracuse	Chairman
Mr. Allen Meyers	Council Rep
Mr. Paul Fikaris	
Mr. Jim Kless	

**Also Present:**

Ms. Kathryn Weber	Law Department
Mr. Daniel Russell	Building Commissioner
Mr. Jeff Thomas	IT Systems Coordinator
Ms. Deborah Garbo	Commission Secretary

**Absent:**

Dr. Sue McGrath	Chairman Pro Tem
Mr. Henry DeBaggis	
Mayor Bodnar	
Mr. John Marquart	Economic Dev. Manager
Mr. Tom Cappello	Village Engineer
Ms. Jennifer Jurcisek	Council Alternate

This meeting has been duly noticed and is being held in accordance with Ohio Revised Code Section 121.22 specific to recent amendments made in light of the current COVID-19 declared emergency (House Bill 197-amended by House Bill 404). Under the orders of Governor DeWine, the Planning & Zoning Commission is meeting remotely, via electronic means.

The public was invited to view the meeting live and can access the meeting through a link posted on the Mayfield Village website at [www.mayfieldvillage.com](http://www.mayfieldvillage.com).

The public was encouraged to view this meeting agenda and offer any comments or questions prior to the meeting to be read into the record and addressed at the meeting. Comments and questions were accepted until 4:00 pm on Thurs, June 17, 2021 by sending an e-mail to Deborah Garbo at [dgarbo@mayfieldvillage.com](mailto:dgarbo@mayfieldvillage.com).

**Welcome New Building Commissioner**

**Daniel Russell**

**PROPOSAL**

1. **Conditional Use Permit**  
**Arts & Event Center**  
Joanna Zona  
700 Beta Dr. Suite #500  
FourPenn Beta, LLC

**OPEN PORTION**

Chairman Syracuse states, this is a workshop meeting for the Mayfield Village Planning & Zoning Commission, Thurs June 17, 2021.

**Welcome New Building Commissioner**

Chairman Syracuse said, before we begin, I'd like to welcome our new Building Commissioner Dan Russell. I had the pleasure of having Dan at our meeting the other night for the Board of Zoning Appeals and I know we're all looking forward to working with you, this Commission as well.

Mr. Russell said, thank you very much, same here.

**Joanna Zona  
Conditional Use Permit  
Arts & Event Center  
700 Beta Dr. Suite #500**

Chairman Syracuse said, we have one proposal before us tonight, it's for a conditional use permit for an arts & event center at 700 Beta Dr. suite #500, the applicant is Joanna Zona. You'll be presenting your case tonight in front of us for your application. We will not be taking a vote, that will occur on Tues, July 6<sup>th</sup> at 6:00 pm. If you could briefly state your name and address for the record and then you can go ahead and talk.

Joanna Nachtigal-Zona, 1729 Blasé Nemeth Rd, Painesville introduced herself. I am basically looking to rent this space in 700 Beta, it's an inside space. We want to put a small arts and event center there mainly for a black box theatre that my Son is involved with, partially through his studies at Lake Erie College and partially just for what he would like to do. The reason that I wanted to present all this is that I don't want to go ahead and pay the Architect and move forward with it unless you all feel that it would be something that would be appropriate there.

Chairman Syracuse said, everyone here has reviewed your application but if you could go on the record and talk about the ten guidelines we're supposed to consider in granting this permit.

**Presentation by Joanna Zona**

Joanna Zona said, I'll give you a little bit of background. This has been in the process for about 2 years. We were moving ahead with it right before Covid hit, we had secured a space on Alpha Dr. with the same landlord, we had looked at this space on Beta first and then he had another space available that we chose at that time. Then Covid hit and we basically put everything on hold. In the meantime the landlord actually sold that building on Alpha and then he reoffered us this space at 700 Beta.

What I'm looking for is a very specific space conducive to theater use, performing arts use, that type of thing. It's something completely different than what's around that area and what's offered in Mayfield Village currently. We like Mayfield Village a lot, we think it has great

access. A lot of our actors are from the Akron area and out Mentor, Painesville way, we pull from a lot of different areas.

My Son started the theater a couple years ago. During Covid I realized we always need a plan B, C & D. When I decided to move ahead with this particular space, I felt I wanted to include the possibility of doing other types of events in there other than just this black box theatre kind of setting just in case something happened again and I needed to do something different to help support the theater. That's why I moved it more into an arts & event center than just a theater.

To be clear, a black box theatre is basically a big open space, the actors rehearse and do all that, it's all conducive to whatever play they're doing how the set-up is. It's not a theater with seats and stage, it's just a big open space. They may have theater in the round, tables & chairs, regular theater seating, just depends on the performance.

We had a whole season planned for the year of Covid, so we have secured rights for many shows throughout the year. We're actually starting the season in the end of July beginning of Aug and we're renting space at the Hilton for that small performance, so that's going to work out pretty good.

The way the economy is now, I think people need back up plans. I've always been an entrepreneur so I know people use space for small business meetings and that type of thing, so I wanted to bring some other value to the area, to my circle of influence, as well as to the actors and the people that follow us, "The Access Theatre Project".

### **Guidelines**

- (1) Is consistent with the considerations set forth in the 2020 Master Plan or any other planning policies implemented by the Village;

**Response:** The event center is critical to small businesses in the area. I taught business at Brush High School and I've been a business coach and really helped small businesses get going, that's what makes me go. That's why I'm excited to help my Son get his business going. People need to connect with one another I think more now than even before Covid. It really changed the look that I had for what we were going to do there. I would like to offer my knowledge and service to anyone in the area as far as educating, that's one of my main passions.

- (2) Is compatible with the adjacent properties i.e. similar vehicular, pedestrian characteristics, similar architect in mass, height and area, similar open space balance and character and landscaping;

**Response:** It's an inside space, so it's really not going to have any affect on anything outside as you saw in the drawing, so that really doesn't apply and there won't be any changes to the outside of the building.

- (3) Will not, conversely, substantially or permanently injure the appropriate use of neighbors' property considering such factors as: traffic (volumes, patterns, access management), noise, dust, odor, visual impacts, deliveries and hours of operation;

**Response:** Most of the events will be taking place in the evenings, Thurs, Fri, Sat & Sun when most of the regular tenants in the building aren't there. That was one of the reasons the landlord thought it would be an appropriate fit for that space, because the building is not being utilized fully at that time.

- (4) Will not be detrimental to property values in the immediate vicinity;

**Response:** Does not apply.

- (5) If a transitional or buffering use between two or more zoning uses and, as such, it shall serve to improve land use compatibility and further implement the 2020 Master Plan;

**Response:** Does not apply.

- (6) Is economically feasible based on documentation submitted by the applicant that there is sufficient market demand within the Village and/or the surrounding areas to support the use;

**Response:** It's economically feasible because we have to rent space anyways somewhere. It just made sense to have our own space and increase other people using the space to help bolster it more. I've been in business over 45 years. I really have a good handle on rents. I used to own Up & Way Balloons on Mayfield Rd. back in 2001/2002 right when my Son was born while I was teaching at the High School. I really understand business and I understand marketing and I understand how to bring value to the area as well as make a profit. The way I look at it, it's an extension of my Son's education. He lives at home so I didn't have to put out a whole lot of money for him to board somewhere. I feel that part of it is for that too. Competition wise, I'm not really looking to compete with anything, I'm looking to create a niche there in that space.

- (7) Will have no undue financial burden to the Village for utility extensions, delivery of government services or other infrastructure expenses;

**Response:** There's nothing that our organization would do that would put a burden on anything in the city. I want to be an asset to the city.

- (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;

**Response:** Benefits to the community, I'm open honestly. I have a lot of skills that I can offer, I have a lot of knowledge that I can offer. I feel that putting a small arts in that space would increase awareness of the arts. "The Access Theatre Project", their mission is, I don't know if you checked out the Facebook page, but it has a lot of the information on it as well as their website. I'm happy to fit into the community, I want to become an active member of the community, get involved in anything from The Chamber of Commerce to anything that the city would need help with, re-educating people for jobs, anything like that. I'm a certified business teacher so I have a lot of access to helping people wright resumes. I'm real open if people have suggestions of

what I could do for the city. Local artists, performing artists as well as art exhibits, that type of thing is something that we looked at putting in there, where people could come and view artwork of local artists. I love to get involved with the school district, that's part of what my passion is and get them involved with it. I've worked with the organization Project Love which is values in action since I was at Brush in the early 1998 to 2000. I worked with that organization before and we'd be happy to co-create with them as well. I'm open to whatever, I'm just looking to have a space that is ours, that we can do things in there that can get local artists performing as well as the media artists out there and create a center in Mayfield Village.

- (9) Will not diminish the use of the subject property nor will it impede the normal and orderly development and improvement of the surrounding property with uses permitted in the districts; and

**Response:** Does not apply because nothing's really going to change with the space. The parking I think was one of the questions, I actually sent Debbie the response from the landlord on the parking. There are very specific parking guidelines for what the surrounding businesses such as the Hilton can use in there and also an adjacent parking lot that we have access to if we use valet service of 83 spaces. I don't think the parking is going to be a problem considering my time frames and the amount of cars I would have there. The capacity looks like it's going to be about 65 from what my Architect said. I don't think that's going to create any parking issues.

- (10) Has the potential to create a positive economic impact by creating or expanding employment opportunities and increasing tax revenue within the Village.

**Response:** Obviously everything I have ever done I've tried to have a positive impact on communities, on schools, on helping people move along. I can hire people if it gets to that point to help me out. I can definitely have volunteers, I can teach, whatever the community would like me to do. I'd like to get involved, I'm semi-retired. I was a floral designer, I spent 40 years in retail florist, I'm retired from that. It's been a crazy time, so I'm looking for a home where I can help and add value. Where we as a theatre can add value and help people grow and sometimes process things. The first show that we did that's on line and it's going to be re-released in August was Hindsight 2020, that basically was a collection of 25 plays/monologues that local writers had written and then my Son Cameron cast and people acted out their monologues. It was very cathartic in helping people process through Covid. It's that kind of an impact that "The Access Theatre Project" would like to have as well as the impact that I would like to have on and with the community.

### **Hours of Operation**

Chairman Syracuse asked, what are your anticipated hours of operation that this would be open?

Joanna Zona replied, I'm going to use it for an office space, I'm going to be there myself. Most of the rehearsals and the shows are in the evenings. If there was something during the day I would anticipate it being a small business meeting 20 – 25 people, something like that. I love to

do networking events. I'd love to either host networking events there or create a networking group there. Usually the shows are over 10:00 or 10:30 the latest. It just would depend on what hours I would be there but it wouldn't be crazy late hours, just like standard business hours I guess would be the best way to put it with the evenings for the performances.

### **Employees**

Chairman Syracuse asked, would there be any employees?

Joanna Zona replied, not really as of the beginning, no, just myself and the actors. The actors are paid and then the cost split with the ticket sales. The ticket sales, we employ a pay as you will ticket process, so people can pay whatever they can afford. Some people pay more and some people pay less. Generally, that actually works out better than a set ticket price. We want to include everybody being able to come to the theatre.

Ms. Weber asked, can I clarify real quick. Is there an entity that's going to be the lessee or are you personally leasing this space?

Joanne Zona replied, how it's set up is we have "The Access Theatre Project" as an LLC and then the theatre itself is a nonprofit. We're in the process of going through getting all that status.

Ms. Weber asked, so is the theatre renting this space?

Joanna Zona replied, it's the LLC that's renting it and we'll have personal guarantee on it, is on the lease. Does that make sense?

Ms. Weber replied, absolutely. I was just kind of trying to clarify the main operations that would be going on in this space.

Joanna Zona said, it was planned to be just a theatre and then when Covid hit it just made me realize and open up my eyes to so much more that I could add value and help out with things.

Chairman Syracuse said, #10 says, you were talking about the positive impact, but it actually refers to a positive economic impact by creating or expanding employment opportunities and increasing tax revenue within the Village.

Joanna Zona replied, as I said to start there wouldn't be any employees, but I think down the road there probably would be a couple. We're a small space, I can't see employing a huge amount of people but I would like to get it to the place where it could but I don't want to start out with employees, I want to start out with volunteers.

### **Memo from John Marquart, Economic Development Manager**

Chairman Syracuse said, we received a memo from John Marquart our Economic Development Manager, he couldn't be present for this meeting. But he did mention a couple of these items, some of our guidelines. The first one he addressed to some extent about;

- Will not adversely, substantially or permanently injure the appropriate use of neighbor's property considering such factors as traffic (volumes, patterns, access management), noise, dust, odor, visual impacts, deliveries, and after hours of operation.

Chairman Syracuse said, and in your original application you said most of these events will be evenings and weekends. Mr. Marquart's response was that it is important to note that the two largest tenants on this site are the Hilton Garden Inn and 700 Conference Center, both of whom also experience their largest volumes evenings and weekends. It could put a strain on the parking, but you said you received documentation from the landlord and property owner?

Joanna Zona replied, right. He explained to me that the Hilton does not have access to as much as is there and that we have rights to some of that. It would be fine considering that we have that adjacent parking that we can use that has 83 cars there if we needed to do valet parking. I really don't have concerns, the shows are small, 30 – 50 people coming to the show would be great. We could only hold 65 people with the actors, so I don't see that being that big of a problem during those times.

Chairman Syracuse said, another factor that was of concern to Mr. Marquart was;

- Is economically feasible based on documentation submitted by the applicant that there is sufficient market demand within the Village and/or the surrounding areas to support the use.

Joanna Zona replied, right. What I can tell you is I've been in the theatre space for a long time. I think that theatre companies are always looking to rent space, I have to rent space. I'm spending money to rent at the Hilton for this and so I feel as a business person that it's going to be economically feasible. I don't have concerns about it. I know their on-line show pulled quite a bit of money just for an on-line show. I think economically we're going to be okay, I have no concerns about that.

Chairman Syracuse said, it also talks about whether there's sufficient market demand within the Village and/or the surrounding areas to support the use.

Joanna Zona replied, right. I guess it's not really about the demand that's there, number one, it's about creating demand and educating people of what's going to be there and marketing. I'm a huge marketing major and I know everything is marketing. On our Facebook page we have over 1000 followers, most of them are from the whole surrounding area of Mayfield Village, one of the reasons that we picked it, from all the way down from Canton to the west side. I could create the demand there. It's not like I just have to use what's in Mayfield Village, I want to bring more people to the Village because I think you all have a lot to offer.

Chairman Syracuse asked, any other Members have any questions or comments?

Mr. Fikaris asked, can you explain a little bit of your intentions with the event center part of this thing, and maybe Dan can answer on the zoning, are we looking at something different if we have the introduction of food and / or if it would include alcohol.

Joanna Zona replied, I don't want to include alcohol if I don't have to, that's just a nightmare waiting to happen, I don't foresee that. As far as food and beverage, I suppose if someone had a small shower, they would bring everything themselves or it would be catered. I'm not cooking anything there on premise, it would all be brought in. Is that what you mean?

Mr. Fikaris replied, yes and what kind of events were you thinking about?

Joanna Zona replied, the events would mostly be small business meetings or maybe a vendor show, networking events, that type of thing. Most of the people that are connected to the theatre all do something else. They might do photography or they might have a small business. I'd like to give them more exposure and create events that they could showcase what else they do, or classes because I teach.

Mr. Fikaris said I have a question for Dan. Would we determine the official capacity of that space? Will there be reviews from our Safety Forces, is that necessary?

Mr. Russell replied, the Architect would be the one defining the uses. The uses she's been explaining is really kind of all over the gamut for occupant load. It's going to be up to her Architect and then it'll go through our review process with our Plans Examiner to see if it complies to code. There are no bathrooms available inside the unit, that's going to be an issue.

Joanna Zona said, let me address all of that. There is space for the restrooms, there's a cleanout and there's water available. I had my contractor as well as my Architect there several times just to make sure that that would work and it'll be all compliant and up to code. They've all worked with that sort of thing before. We will be installing the bathrooms prior to opening. That was another reason I didn't want to put out any money before I at least knew. What John had explained to me was that it wasn't zoned for this but it wasn't zoned not for this. That was why he felt we should have a conversation and go this route so that I was clear and I want to do everything right and I don't want to waste any money or anyone's time.

Chairman Syracuse asked, any other questions or comments?

### **Floor Plan**

Mr. Meyers asked, how many entrances are there to that space?

Joanna Zona replied, there's actually four. If you could bring up the space plan, I can explain how it works. See the common area that's to the left of this space, that's a hallway. Then there's a hallway kind of behind where the M is, if you go to the right of the M, that's a hallway and that leads out and also leads into the other Hattie Larlham tenant space. There's two exists in that big main room. The question I asked my Architect, they have to be a certain distance apart is what John explained to me and that was what he was intending in the letter he wrote to you stating that

those exists are out into that main hallway and there is two of them and they are far enough apart and up to code. There's also an exit in that big room by the C & the O as well as there's an exit from that room into that back hallway. The restrooms would be in the room that's next to the biggest room which also exists out to that back hallway. So, there's a lot of different exists out to that back hallway which then leads to that common hallway. It's a unique space but it's good because it's what we're looking for.

Mr. Meyers said, I was curious in case of an emergency.

Joanna Zona said, that was one thing I looked at and why I had the Architect come out twice and we went over everything to make sure that was going to work because I like planning rather than planning afterwards.

Mr. Russell asked, am I understanding correctly that all the exists go out that common hallway area?

Joanna Zona replied, correct and then the common hallway exit goes straight out to the front of the building which is on Beta Dr.

Mr. Meyers asked, do you know how wide that common area is?

Joanna Zona replied, it's pretty wide, it's not narrow, maybe 10' wide, it's a pretty good size. I'll text my contractor and see if he has any idea how wide that common hallway is-

Ms. Weber said Joanna, you could also plan to bring that information with you to the next meeting.

Chairman Syracuse said, you could supplement anything at the next meeting prior to us taking a vote. If there are any questions that you didn't have the answers to tonight, you could supplement that to Dan or John and they'll send that to us.

Mr. Fikaris said, I would also like to see memorialized the hours of operation and days as well specified, and I'm still curious about the final word on capacity.

Joanna Zona replied, I asked the Architect that and I think there's a formula. He said given the 3000 square feet that it would be 65. As long as I could have 30 – 35 people at a show, that's probably going to be where we're at.

Mr. Fikaris said, I trust that our Safety Forces will check this out to make sure it's all on the up and up.

Joanna Zona said, absolutely. Leon my Architect is a really good guy, super easy to get along with and very helpful. He said what he could do is if you'd like, because I have not given him a down payment yet, he's willing if you want to talk to him, he could explain more verbally if need be before I moved ahead because I don't want to waste money and time.

Chairman Syracuse said, if you'd like him to attend the next meeting and present anything before we take a vote, you can. Paul, whenever we grant anything, when we vote on these, we always need to know the days and hours of operation. Typical business retail would be max capacity, but with this it's going to fluctuate depending on the event.

Joanna Zona said, I can write up something. I just never even really thought about it because I just kind of know what it's going to do.

Mr. Fikaris asked, do we need some more economic information? You say you're funded and said additional things will fund this whole process. I must admit I would not know what the lease price would be monthly. I think that's something that you should review to see what you need to do and how many events you need to have, or is that not our business?

Joanna Zona replied, we have a business plan for the theatre. The way we're working it so you understand is the first year we're doing all the improvements so there's no rent the first year. We're paying for the restrooms, we're paying for any improvements, there's a few doors that need to be put up and fire extinguishers and all of that. The agreement that we have is that we pay for the improvements and we don't start paying rent for one year and it's going to be a 3 year lease.

Chairman Syracuse said Paul, I think to answer your question is that's really the business model, the business plan for Ms. Zona to figure out, if it's economically feasible for her. Our factors are in these guidelines which are attached to the application. I think the ones that really apply are #6, whether it's economically feasible based on documentation submitted by the applicant that there is sufficient market demand within the Village and surrounding areas. That's the one John Marquart commented on. And #10, does it have the potential to create a positive economic impact by creating or expanding employment opportunities and increasing tax revenue within the Village. We just have to consider these guidelines and any additional evidence and documentation that supports this project, you could bring that to our attention before the next meeting or at the next meeting, anything that would help us in making the determination that you've met the burden that we would base this on.

Chairman Syracuse asked, any additional questions or comments from anyone?

Joanna Zona said, I guess I'm not looking for a yea or a nay, but I am in the way of looking at should I put out the money to go ahead and move forward.

Chairman Syracuse replied, that's a question we can't answer for you. We will be taking a vote at the July 6<sup>th</sup> meeting, so you'll know whether or not if it passes at that time. And anything else to add that's supplementary to the questions we asked tonight, you can provide that in the meantime before we take the vote, we'd all appreciate that.

Joanna Zona replied, that sounds good.

P & Z ws Minutes

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Chairman Syracuse asked, anything additional to discuss tonight?

Joanna Zona said, thank you very much, I appreciate your time.

**NEXT STEP**

Chairman Syracuse said, we'll see everyone again on Tues, July 6<sup>th</sup> at 6:00 pm for the vote meeting.

*There being no further business, the meeting adjourned at 6:35 p.m.*

*Respectfully Submitted,*

*Deborah Garbo, Executive Assistant, Building Department*