

PLANNING AND ZONING COMMISSION
Workshop Meeting Minutes
Mayfield Village
Feb 16, 2023

The Planning and Zoning Commission met in workshop session on Thurs, Feb 16, 2023 at 6:00 p.m. at the Mayfield Village Civic Center, Main Conference Room. Chairman Fikaris presided.

Roll Call

Present: Mr. Paul Fikaris Chairman
Dr. Sue McGrath Chairman Pro Tem
Mr. Allen Meyers Council Rep
Mr. Jim Kless
Mr. Henry DeBaggis
Mr. Randy Weltman

Also Present: Ms. Kathryn Weber Law Department
Mr. Daniel Russell Building Commissioner
Ms. Deborah Garbo Commission Secretary

Absent: Mayor Bodnar
Mr. John Marquart Economic Dev Manager
Mr. Tom Cappello Village Engineer
Ms. Jennifer Jurcisek Council Alternate

PROPOSALS

1) **Conditional Use Permit**

We Rock the Spectrum
700 Beta Dr. Suite #300
Meld Architects

Abutting Property Owners:

Beta Drive: 6671, 767-781, 761, 701, 600, 700, 731, 735, 739, 6685, 6650, 660, 6690,
6700, 6680, 6655, 6670, 681, 780, 651, 730, 740, 750, 760

2) **Revised Section 1157.06**

(Law Dept)

Accessory Buildings and Structures

OPEN PORTION

Chairman Fikaris stated, this is a workshop meeting of the Mayfield Village Planning & Zoning Commission Thurs, Feb 16, 2023. We have two items on our agenda tonight. The first one is a conditional use permit proposal from We Rock the Spectrum, 700 Beta Dr Ste #300. Whoever is here to present tonight, please state your name and address for the record.

**We Rock the Spectrum
700 Beta Dr. Ste #300
Conditional Use Permit**

Ed Parker, with Meld Architects, 2026 Murray Hill Rd. Ste #06, Cleveland 44106 introduced himself. With me tonight is Alex Schriefer and Connor Pletz with We Rock the Spectrum. I'm going to introduce the existing project then let them introduce what their business is.

The existing space is located at 700 Beta Dr Ste #300. The space is already laid out for an assembly type of use. The previous owner was a Conditional Use I-4 which was adult day care. So, it aligns very good with their business plan. The existing space has the ADA requirements, required bathrooms and the overall life safety requirements; sprinkler and fire alarm. All of this will obviously be updated and checked with the required departments. The existing space has the required parking spaces. That's about all I have on this end as an intro to their business and I can field any technical questions pertaining to this project.

Alexandra Schriefer introduced herself.

Connor Pletz introduced himself.

Alexandra Schriefer stated, I'm a Pediatric Occupational Therapist, I graduated with my Masters of Science in OT from Duquesne University and also have my Minor in Special Education. I've been working in a specialty school in Shaker Hts for children with autism and at an outpatient Pediatric Clinic. I've also done acute care at Ahuja on the side on the weekends.

Connor Pletz stated, I went to Allegheny University in Erie Pennsylvania where I received my Bachelor's Degree in Biology with a Minor in Business Administration. I'm currently a second year medical student at Northeast Ohio Medical University down in the Akron area.

Background of WRTS

Alexandra Schriefer stated, a little bit about the background of WRTS. It was created by Dina Kimmel out of California in Tarzana back in 2010. She had a son with autism and noted how much the equipment that she had in her basement like swings and things like that were helping him regulate throughout the day. So she started a tiny little 1,000 sq ft building, it still stands to this day, it was the original WRTS. It's since grown, there're over 140 locations now, it's International, we have them in Saudi Arabia, Egypt, Australia. In Ohio here we have one in Cincinnati & Columbus. There wasn't one in Cleveland yet. When we found out about it, I was

actually on TikTok, social media and saw a video about it and inquired to find out more, I just felt like their mission really resonated with me and Connor's been on board the whole time helping me out here.

In general, it's an inclusive space for kids with special needs and also their typical peers, where we can create a hub for the special needs community.

Services

Alexandra Schriefer stated, we'll offer things like open play, birthday parties, summer camps and things of that nature to really create an inclusive space. Right now there are wait lists at every Pediatric out-patient clinic, I saw that first hand. I was working in a Pediatric Clinic up until last month and there was a wait list for up to two years just to get on the OT case load. I saw the need, parents are dying for a place to bring these kids. A lot of them get scared of the risk of them running away at a typical playground like a Sky Zone and things like that. Unless it's a sensory family night, it's really hard for those kids to modulate and regulate with everything going on around them. Really to try to create an inclusive space where they can be themselves and parents don't have to worry and the model is finding a place where you never have to say "I'm sorry". That's kind of the whole mission. Does anyone have any questions?

Hours of Operation

Chairman Fikaris asked, what are your proposed hours of operation?

Alexandra Schriefer replied, typically during the week 9:00 – 6:00 with the exception of what we call parents night out events, that being in the evening from 6:00 – 9:00 pm., that I think would be once a month. On the weekends is mostly private rentals or for birthday parties 9:00 – 5:00 or 9:00 – 6:00 if we have some families interested in events later on in the evening.

Chairman Fikaris asked, how much time is spent, would I sign up for the day, would I sign up for the program for a week?

Alexandra Schriefer replied, coming in for open play hours would probably be 1 - 2 hours. We do offer walk-in open play but there's also a monthly membership. We also offer class packs where you can sign up and do 5 sessions, 12 sessions at a discounted rate. Instead of paying for the single session, you can get a package and use those whenever you'd like.

Mr. DeBaggis asked, does the parent stay with the child?

Alexandra Schriefer replied, yes.

Mr. Kless asked, typically how long do they stay?

Alexandra Schriefer replied, 1 – 2 hours, depends on the child if they can tolerate more time. Some kids might love it and want to stay all day which we'd cap probably at 3 hours.

Occupancy

Chairman Fikaris asked, how many people do you expect this space to handle at any given time?

Alexandra Schriefer replied, I think that goes in line with occupancy. We're going to cap birthday parties at a maximum of 25 kids. We do have another package for children that can't tolerate and we max it out at 15 kids. But then there might be some parents, I'd say 50 for birthday parties, open play. We were just down in Florida for our training at a couple of their locations and open play throughout the day is kind of hit or miss. But at any given time there are probably 5 – 15 or 20 people in there, just child with parent in there for open play.

Connor Pletz stated, it really fluctuates. I think the large majority where there would be people would be the birthday parties. The room is set up so they can come and they'll have a separate private party room to set up their stuff, time to do open play and then reconvene for food and cake at that time. That larger capacity would be just on the weekends for those hours.

Staffing

Chairman Fikaris asked, what's the number of staff that you anticipate?

Alexandra Schriefer replied, during the normal business hours of open play if the parent is with the child, we're probably going to operate on 2 to 3 staff since the parents are there. But for different events and things like parents night out where it's a drop-off service and we might have a max of 10 kids, we want to make sure we have a 4 to 1 ratio of staff to children. If they do require more attentive support, we'll offer 1 on 1 services as well and have additional staff there for children that might need it.

Mr. DeBaggis asked, most of the children that go to your other sites now are going there because their doctors prescribe Occupational Therapy for them?

Alexandra Schriefer replied, not necessarily. But the equipment found within the facility is all equipment that you'd find in a typical OT Clinic. A lot of the families seek out things that allow them to get energy out via these methods. It's a typical kids gym.

Connor Pletz stated, what we noted is that a lot of neurotypical kids down when we went to Florida to the training center are coming as well. It's a great space for kids ages 0 – 10 to just come and play as well. It's not limited to yes, you have to have a diagnosis or you're prescribed to come here. It's just general public.

Mr. DeBaggis asked, and then you'll bill by the hour, the time that the child plays?

Connor Pletz replied, it's a \$15 open play walk-in. Or like she said, you can purchase a monthly membership for the open play and then our rates would vary based on if we're having classes, i.e. speech class and parents night out, those rates would vary and same with the summer camps,

we charge a per weekly or monthly rate. Those would just vary and be up to the parents for discretion if they want to enroll.

Mr. Meyers asked, how many staff members would you have for a birthday party?

Alexandra Schriefer replied, for a party, staff is 2 to 3.

Conner Pletz stated, the parents do stay to observe the children. We're there more to help with set-up, clean-up and make sure things go accordingly.

Alexandra Schriefer stated, it's very clear in all our waivers that parent supervision is required, you can't just drop your kids off for a party.

Teen Lounge

Chairman Fikaris stated, you state in your literature ages are 1 to 13. That's usually family members, things like that, obviously if you came with a family and everyone's included. You say there's a Teen Lounge, I'm wondering about that age difference and if that poses any issues.

Alexandra Schriefer replied, the Teen Lounge, if there's an older kid that came with their younger sibling and the parents are there, they can go there, it's got a foosball table, a pacman machine, things like that. But teen hours are going to be specific to the population. So we might have open-play on Tues mornings designated to toddlers open-play where those families can meet each other. Then we'll also have maybe in the evenings 4:00 to 6:00 Teen Nights. I know a lot of these parents of older kids don't want to bring their kids when there's a bunch of little ones running around. So that room is kind of closed off unless it's a specific event for that population.

Rock Shop

Chairman Fikaris stated, I see a space called the Rock Shop, what is that?

Alexandra Schriefer replied, the Rock Shop is a really small version of a toy store. We order Melissa and Doug puzzles. I don't know if you're familiar with Melissa and Doug, it's a pretty popular toy brand. Corporate has a bunch of partnerships with all kinds of Lego, Crayola, Melissa and Doug, so we can stock it however we want. It's not super big, it's just for developmentally appropriate toys for these families. I know some of the locations started doing the birthday child can make a wish list based on the Rock Shop items in there, then you send it out to the families of the kids that are invited so they have an option for what the kid might want. In general, it's just a little toy shop.

Chairman Fikaris stated, just as a note the conditional use permit is limited to 10% of your total area. It doesn't look like it's going to be 500 sq ft.

Alexandra Schriefer replied, honestly it's a little piece of slatwall.

Ed Parker stated, if I can interrupt, it's basically a wall. It just has to stay under 500 sq ft?

Chairman Fikaris replied, up to 10% of the total square footage.

Parking

Chairman Fikaris stated, I know it's going to vary, you're saying there's going to be activity in the morning, is that a high volume drop-off in the morning?

Alexandra Schriefer replied, not necessarily. I would say the most parking would be birthday parties on the weekends, especially if a lot of parents are coming with the kids.

Connor Pletz replied, it's going to be really fluid throughout the week. Like school days off will be a hot time where parents bring their kids in. A school day, we're going to open 9:00, maybe sometimes 10:00 in the morning and hopefully the school traffic has already passed by that time.

Chairman Fikaris stated, I was just trying to guess how many spaces your clients will take up in general. It's a busy area, there's the Hilton Garden Inn tacked onto the end there. I think it's a little more active than your normal Beta Dr. addresses because it's usually busy going in and out at lunchtime. It's just something to be aware of. I've observed that the parking lot seems to be able to handle the cars. I want to make sure that space can absorb it, I know it's a combo with the hotel.

Connor Pletz stated, there's parking out front as well.

Chairman Fikaris stated, and there's parking on the right too.

Alexandra Schriefer stated, there's actually an entry back here too, maybe for birthday parties the parents could come bring the stuff to set up back there. So maybe they would park on that side just as an alternate if that's allowed.

Mr. Kless stated, there seems to be a lot of available parking there.

Alexandra Schriefer stated, we've noticed on the weekends there's definitely not as much traffic going on which is a good thing for the birthday parties.

Zoning USE Classification

Chairman Fikaris said, stated on the application for the proposed Conditional Use Permit the Use Group is changed from "Production-Distribution" to "1-4 Institutional". Is that correct?

Mr. Russell replied, correct.

Chairman Fikaris stated, I also want to note that since we've revised our Conditional Use Permit Section 1149.02, the permits are now up for renewal every four (4) years.

Chairman Fikaris asked, does anyone have any questions?

Mr. Meyers asked, does the Fire Department have any guidelines or anything to add?

Ed Parker replied, we actually met with them. The original interpretation on the plan was an A-3 versus I-4. One of the reasons we chose to go with I-4 is because by the code she's allowed to be A-3 and have 4 students, since she hires someone, it switches to I-4. We thought it would be better to submit it as I-4 because the students she has would still classify as I-4, so we're going to the more stringent in the code which is the I-4. Because of that kind of hazy interpretation, we met with Dan and the Fire Chief just to make sure we all agreed with what the interpretation was. One of the main reasons why it was I-4 was because it is the spectrum that they may not have been actually legally diagnosed. The Fire Dept wants to be aware for who is in this space. That's why it went to I-4 instead of it being E-Education. The A-3 gym side of it is assembly.

Ms. Weber stated, as you mentioned Paul we do have a revised Conditional Use section that puts out the guidelines and what this Commission looks at in order to grant the Conditional Use Permit. There are 11 factors/criteria that we have that you can use in order to determine whether or not to grant the Conditional Use Permit. And it looks like on their application they've listed out these 11 factors in order to guide your decision.

Chairman Fikaris asked, are there any additional questions or comments?

Mr. DeBaggis stated, looks like a great idea.

Mr. Kless concurred.

Dr. McGrath stated, the fact that there's one in Columbus and one in Cincinnati.

Alexandra Schriefer stated, thank you very much. Actually when we interviewed, because they're really picky, they said 9 people had already tried to open one in Cleveland and they all got denied by the CEO, so we felt pretty lucky to be able to do all this. The CEO put us through the ringer.

Chairman Fikaris stated, we thank you very much.

NEXT STEP

Chairman Fikaris stated, we'll vote on this at our next regular scheduled meeting Mon, March 6, at 6:00 p.m.

Accessory Buildings and Structures Revised Section 1157.06 (Law Dept)

Chairman Fikaris stated, our next item on the schedule tonight is revised section 1157.06; Accessory Buildings & Structures. I'll defer to Ms. Weber.

Presentation by Ms. Kathryn Weber, Law Dept

Ms. Weber stated, in your packet I gave you a redline that shows the changes from the old code, compared to what's currently on the books and then the clean version you have is the new chapter. I also brought for you the clean version of what we currently have on the books.

Ms. Weber stated, a common variance that comes in is for sheds. This section accessory uses 1157.06 is really what regulates accessory structures in residential areas. That's typically common like a detached garage or a storage shed that you'd put in your backyard. You can see the current 1157.06 is a little bit lacking in detail which has caused a little bit confusion.

In seeing the different variances that came in from residents and in connection with our Building Commissioner, realizing it was time to overhaul this section and add some additional detail. Additional detail to make it more workable for residents and be able to now base this to have a certain amount, a number of structures that you could have instead of just regulating it by square feet.

Now we also don't regulate types of structures based on the proposed use of that structure which can be kind of a difficult thing to decide, because then you run into people coming in and saying I'm going to put a vehicle in it or I'm going to use it for some specific use. We've streamlined it now so it's based on a total number of buildings and in the area of those buildings based on the area and the size of the lot.

Mr. Meyers asked, so it doesn't matter what they put in the building now?

Ms. Weber replied, exactly.

Mr. Russell stated, it can't be habitable, you can't live in it or have another residence in there which is important to note.

Ms. Weber stated, I can go through this line by line or I know you guys have all probably had a chance to read it, if you have questions.

Chairman Fikaris asked, so I can build up to two (2) 20' x 20' structures for a total of eight hundred (800) square feet as long as I have an 8,000 square foot lot?

Mr. Russell replied yes, of the rear lot area.

Ms. Weber stated, so if you have a detached garage on your property, that's going to count as one of those accessory buildings. If it's an attached garage, it doesn't because that's part of the home. If you have a detached garage on your property, you'd only get one more building. You wouldn't be able to get two additional sheds on top of that detached garage.

Mr. Meyers asked, what about pool structures?

Ms. Weber replied, we have a separate area in the code that regulates pools, fences that go around pools as well as putting in a structure to go along with your pool. That's dealt with in a different section, we're not prohibiting or messing with that necessarily.

Chairman Fikaris stated, the language says upon the same lot with the building to which it is accessory. Would I interpret that to mean that your structure has to be behind your house?

Mr. Russell replied, I think that sentence really means if you have an adjoining parcel of land. A lot of people have an extra parcel of land that they didn't combine. You cannot put that accessory structure on that second parcel. It's got to be part of the main lot and it has to be in the rear yard.

Chairman Fikaris stated, the issue we had in the past was the guy had a pie-shaped lot. I guess it has to go with the other required sideyard setbacks. Talking technically, the back of the house means from the back inch of that house is your rear yard. Some people have them on the side, I guess they have the yards to do it.

Ms. Weber replied, they would need a variance for that. There's no way that you would be able to make a code that no one would need a variance from but we wanted to revise the code to make it a little bit more workable and reasonable for a resident to be able to look up this section and know this is for sheds because we changed the title as well to be "Accessory Buildings & Structures". And also to be able to more clearly read what the rules are, if they're able to have it on their property.

Chairman Fikaris asked, basically I can build a 12' x 16' shed currently, that's under 200 sq ft.

Mr. Russell replied, you would need an actual building permit. The building code regulates anything over 200 sq. ft. The building code doesn't get in the factors for construction drawings, foundations or anything else like that. But a zoning permit would be required so we know where the location of it is, that it complies with the zoning code. The code now is you're allowed 192 sq ft. and most sheds are bigger than that.

Ms. Weber stated, along with this there's a couple other places in the code that we're also going to need to revise that cross reference this current section. Prior to your voting meeting, I'll get those sections over to you. We have one section that lists out the current accessory uses for accessory building structures that we'll remove and just reference this section, so all the regulations will be in the same place.

Chairman Fikaris asked, does anyone have any additional comments or questions?

Mr. Weltman stated, I have a question about the process. Just curiously, who sits and writes the new law? Are we certain that it's inclusive of everything that's thought out? I'm sure it is, I'm just curious. I know you've identified the problems with the old ordinance. Just tell me how we go about writing the new language. Is it somebody in your department that does a draft language?

Ms. Weber replied, it's me.

Mr. Weltman asked, do you model it on other cities?

Ms. Weber replied, yes. Typically it's usually brought to attention either by the Administration or some of the staff members or Department Heads, also Commission Members or members of Council will bring up, maybe we should revise this. Then that comes to the Law Dept to take a closer look at how could we meet the goals of who wants to take a look and redo this. Depending on what the code section is, since this one specifically deals with zoning and land use, I worked in connection with the Building Commissioner and Diane Wolgamuth who is the Director of Administration and the Mayor to go through some drafts. When I sit down to re-draft regulations and ordinances, I'll look up samples from different communities that are in similar size to the Village or in location. Then you look at the rest of our code to make sure it's going to work with the rest of the code and that's where I brought up kind of the cross references and things like that. Once we've gone through quite a few drafts, because you want to have as many eyes as possible on revised ordinances because you don't want to miss something. That's why it's important to have a lot of people read through it. Then once we get it finalized, since this is specifically a regulation that deals with our zoning code, the Charter requires that the Planning & Zoning Commission review and recommend it before it goes to Council to pass.

Mr. Weltman replied, got it. And does this happen often? Do we amend ordinances very often?

Ms. Weber replied, I don't know if it's super often.

Chairman Fikaris replied, the fence ordinance was a recent one, I believe because there were a lot of issues and the Board of Zoning Appeals people wanted to see different types of fences.

Mr. Weltman asked, so this could be the only one for the year?

Chairman Fikaris replied, yes.

Dr. McGrath stated, and the fence one was many pages, so she's an expert, not just on accessory structures.

Mr. Weltman stated, nothing like having clear and concise language, right?

Chairman Fikaris stated, ours signs are a good thing to keep tabs on because signs always change and you have to keep with the flow of what's going on in the country obviously.

Ms. Weber replied, signs is a good example of a different circumstance of where a revision would be needed because laws change. If something gets outdated, like the sign code there was a change in Case Law in constitutionality of sign codes which necessitated a redo of our sign code a few years ago.

Mr. Weltman thanked Ms. Weber.

P & Z ws Minutes

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NEXT STEP

Chairman Fikaris stated, we'll vote on this at our next regular scheduled meeting Mon, March 6, at 6:00 p.m.

ADJOURNMENT

Mr. DeBaggis, seconded by Mr. Meyers made a motion to adjourn the meeting.

ROLL CALL

Ayes: All

Nays: None

Motion Carried

Meeting adjourned at 6:35 p.m.

Respectfully Submitted,

Deborah Garbo

Executive Assistant, Building Department