



Village of South Russell

5205 Chillicothe Road
South Russell, Ohio 44022
440-338-6700

PLANNING COMMISSION
CONTINUATION OF PUBLIC HEARING
Record of Proceedings
December 9, 2021
7:00PM

Members Present: James Flaiz, Dennis Galicki, Mayor William Koons, Ph.D., Elisa Budoff

Member Absent: Steve Latkovic

Other Officials: Bridey Matheney, Solicitor; Dave Hocesvar, Building Official; Ruth Griswold, Board Secretary

Visitors: Kristen and Ryan Scanlon, 5260 Chillicothe Road, 44022
Guy Rutherford and Lucia Santana, 3314 Hyde, Cleveland Hts. 44118

With the absence of Steve Latkovic, Mr. Galicki motioned to have James Flaiz serve as Acting Chairman. Mr. Flaiz seconded. Ayes all, motion carried.

The Public Hearing continuation was called to order at 7:00pm by Mr. Flaiz.

Ruth Griswold conducted roll call.

Mr. Flaiz introduced the agenda item for the continuation of the Public Hearing for **PonyBoys LLC**, whose applicants are seeking approval for a proposed new restaurant at **506 East Washington Street**.

Mr. Flaiz reviewed the additional documents that were submitted by the applicant since the last meeting on November 9, 2021, consisting of revised plans for parking and seating. He confirmed that no other documents had been submitted.

Mr. Flaiz referred to a document received by the Village on November 19, 2021, from Sean Davis, Fire Prevention Officer, which was a report indicating that the total building occupancy for PonyBoys would be a maximum of 60. Mr. Flaiz asked Mr. Hocesvar if he was in agreement with that number. Mr. Hocesvar said after a discussion with Mr. Davis, and further review of the plans, he agreed with that number for occupancy, as well as how it was split up between seating and total occupancy.

Mr. Flaiz asked the applicants to begin their presentation. Mr. Scanlon said they have reached two very last-minute agreements for additional parking spaces, one with Mr. Ed Gottschalk and the other with Washington Street Properties. He said each agreement allows them six additional parking spaces for valet.

Mr. Flaiz said he had spoken to Mr. Latkovic, who had received a call from Mr. Gottschalk confirming this agreement. He asked Mr. Scanlon where the parking spaces are located. Mr. Scanlon said there are 6 spaces

behind Martini Bar and 6 spaces in front of the 300 Building. Ms. Budoff asked if the spaces would be marked. Mr. Scanlon said he wasn't sure, but that they could be.

Mr. Flaiz noted that the revised parking plan which was submitted for tonight's presentation did not have a valet option. Mr. Scanlon explained that they submitted that plan ahead of time and had prepared for the worst-case scenario, in case they were unable to secure valet parking agreements. He said because they now have valet agreements, he brought three different drawings to the meeting for the board to review and said one of the options resolves the parking lot width problem that Mr. Flaiz brought up at the last meeting. He referred to the areas on the large screen that would be used for valet parking and said they have also secured an agreement for pedestrian access through the gate, which goes from KEI to the parking, so valet employees won't have to run in the street. Ms. Budoff asked if the valet would be coming from the rear of the restaurant. Mr. Scanlon said yes that is correct. Ms. Budoff questioned how they would turn around. Mr. Scanlon said after the last meeting, he spent two days chalking out many different possibilities and came up with three different feasible solutions.

Mr. Flaiz referred to the large screen and confirmed the location of the pedestrian access as being between Hunan and PonyBoys. Mr. Scanlon said there is a chain link fence with a gate there, and the owners of KEI and the managers of Mountain Road Cycles have no issue moving people through the gate but would not allow vehicles to go through there.

Mr. Scanlon said a concern that was brought up by Hunan's at the last meeting was that of valet employees and pedestrians walking in front of their building, and that this proposed valet solution would eliminate that concern.

Mr. Flaiz asked Mr. Scanlon who they have the pedestrian access agreement with, and if it was in writing. Mr. Scanlon said it is a verbal agreement with the owner of KEI. Mr. Flaiz referred to the document made available to the board, which showed the original parking plan and the revised plans without valet. He asked Mr. Scanlon about the additional options he designed. Mr. Scanlon said he has copies with him, distributed them to board members and apologized for providing them so late.

Board members evaluated the three different options as Mr. Scanlon provided explanations for each one. After discussion and review, it was determined that the option labeled #3 would be the best fit. This option provides three parallel parking spaces which allows for a 34' width for the parking lot, resulting in an easier turn around for vehicles. Mr. Flaiz said this choice also creates a much better staging area for valet.

Mr. Galicki asked if they investigated the possibility of allowing the valet to utilize the access from the rear as a thoroughfare. Mr. Scanlon said they did pursue that, and KEI had no issues with it, but the tenant, Mountain Road Cycles, did not like the idea since they often have customers test ride bikes in that area.

Mayor Koons asked Mr. Hocevar if the Village engineer looked at the parking lot for PonyBoys. Mr. Hocevar said yes, Eric Haibach scaled out the drawing that was submitted and did not have a problem with it.

Ms. Budoff asked if this proposal would affect their future patio plans. Mr. Scanlon said they were willing to rework the patio expansion when that time comes, and that not having a patio is better than not being able to be open.

Mr. Flaiz then referred to the proposed seating plan for 38 that was submitted to the board. Mr. Scanlon said now that they have agreements for 12 valet parking spaces, they would like to have the maximum occupancy permitted. Mr. Flaiz said the maximum occupancy is 60, which includes staff and take-out activity, not just seating capacity. Mr. Flaiz said they now have 28 parking spaces including the 12 off-site, and code allows two seats per parking space.

Mr. Flaiz expressed concern regarding the two-person occupancy limit in the kitchen, which was determined by the Fire Prevention Officer. He asked Mr. Scanlon how that would be possible. Mr. Scanlon said he is very experienced at working in small spaces, and to have himself and one assistant in the kitchen is very possible.

Mr. Galicki referred to the drawing of the 38-seat proposal and asked if the two tables for 6 would be sectionalized. Mr. Scanlon said yes, they are constructed to be movable.

Mr. Flaiz said, parking aside, he is not comfortable with a seating capacity of 56, given that the total building occupancy is 60. He said the restaurant would likely exceed the occupancy limit with people waiting, carry-out customers, and employees. Mr. Scanlon said the valet would essentially function as the host at the front door, which allows a solid curbside take-out plan, since customers never have to leave their vehicles.

Ms. Budoff asked how many wait staff they would have with the maximum seating of 56. Mr. Scanlon said they would need 1 or 2 behind the bar and 4 wait staff. Mr. Flaiz said that puts them over the maximum occupancy. Mr. Scanlon said he would have no issues with a seating occupancy of 50.

Mayor Koons asked Mr. Scanlon if, 6 months from now when the restaurant is booming, would they add more seating. Mr. Scanlon said he would abide by whatever the Village permitted them to do. He said in previous restaurants, they may have started out small and added seating, but those sites were always much larger than this one.

Ms. Budoff asked if the restaurant would be reservation only. Mr. Scanlon said they would love to get to the point of being reservation only, but it is not a decision they can make now. Ms. Budoff asked how it would work when it's cold outside and there are 10 people waiting to be seated. Mr. Scanlon said they intend to operate with a digital waitlist, which is necessary without a lobby.

Mr. Flaiz said if the board were to approve this submittal, there would be numerous conditions, among them being seating, occupancy, inspections, and further review required within a year. He said he has some very serious concerns, and this is the most difficult decision he has dealt with in his 15+ years with the Planning Commission. He said Mr. Scanlon and his company have foolishly put a lot of money into this restaurant prior to obtaining Village approvals, and that was a big mistake on their part, but the reality of it is, it does affect his decision.

Discussion followed among board members regarding acceptable seating capacity, total occupancy, available parking, valet requirements, site visits, written agreements, and other conditions.

Mr. Flaiz expressed concern about the possibility of traffic backing up onto East Washington during busy times and asked if there were conditions that could address that scenario. Discussion followed regarding traffic problems on various days and at different times. Mr. Scanlon said they anticipate a 4–6-week period after opening that could be impactful, but they are confident that they will manage it, and long-term managing of the situation should not be a problem. He added that if it becomes an issue, he is certain that their neighbors on either side of them would make the Village aware of it.

Mayor Koons commended Mr. Scanlon for reaching out to his neighbors and attempting to work things out. Mr. Flaiz said he likes the addition of the pedestrian access through the back, which eliminates the potential danger of valets to running into the street or across other parking lots. Mr. Scanlon said he lives in South Russell and wants nothing more than to be a good neighbor and operate a successful business in the Village.

Mr. Flaiz asked for any other questions or comments from the board members or public.

Mr. Galicki said he thinks the plan is very forward-leaning, but to Jim's point, the applicants have a lot of skin in the game already and he would hate to see their money fly away in the breeze. He said the board members are all looking for ways to make this work, and that there may be some pain points when looking at workability

issues such as allowing maximum seating in the restaurant. He said he believes that what the board agreed to is a pretty good compromise.

Mr. Scanlon said the vision he and his partners have for their restaurant is to not maximize every seat and penny-pinch and squeeze every dollar out of it. Ms. Scanlon said they do not want their restaurant to feel crowded, and they are super-conscious of creating that kind of atmosphere.

Mr. Flaiz cautioned the applicants against allowing the situation to turn into a fiasco, because their entire business would be at stake if the Planning Commission feels it necessary to revoke their Conditional Use permit. He said they should take whatever measures necessary, including over-staffing the valet, in order to avoid issues and subsequent revocation of their Conditional Use permit.

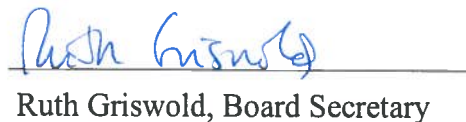
Mr. Flaiz said all the conditions would be outlined during the Planning Commission meeting immediately following the Public Hearing and asked for a motion to adjourn.

Mr. Galicki motioned to adjourn the Public Hearing at 7:50pm. Ms. Budoff seconded. Ayes all, motion carried.



James Flaiz, Acting Chairman

2/10/22
Date



Ruth Griswold, Board Secretary

2-10-2022
Date