



# MEETING MINUTES

## Planning Commission

Tuesday, July 7, 2020 – Virtual Meeting

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The meeting was called to order at 1:30 p.m.

Chair Oyster asked for a moment of silence and the Pledge of Allegiance. Roll was taken, and the following members were present: Chair Julie Oyster, Mr. Larry Titus and Mr. Jim Rauck. Dr. John Dubos and Mr. Mike Linder were absent. Other staff members present: Kyle Rauch, Development Director; Kim Shields, Community Development Manager; Kendra Spergel, Development Planner; Jimmy Hoppel, Development Planner; Jennifer Readler, Frost Brown Todd; Dash Logan, Development Intern; Mary Havener, Development Assistant; Todd Hurley, Information Systems Director; Tammy Green, JTFD; Cindi Fitzpatrick, Service Director; Mike Boso, Chief Building Official; Laura Scott, Planning and Zoning Coordinator and Tami Kelly, Clerk of Council.

### Organizational Items:

Chair Oyster noted a quorum was present and asked for approval of the June 2, 2020, Planning Commission minutes. Mr. Titus moved to approve the minutes. Mr. Rauck seconded the motion, and the minutes were approved 3-0.

### New Items:

#### ITEM #1 – Autumn Grove (Section 4) - Plat

PID #202005150025

Mr. Hoppel presented the Development Department's findings. He stated that the applicant is requesting approval of a Plat for Autumn Grove Section 4.

He explained that Plats are reviewed for approval after the approval of a Final Development Plan. The Development Plan for Autumn Grove was approved by City Council in 2004. Upon Planning Commission's recommendation, City Council is slated to hear the application on July 20 and September 8 of this year.

The proposed Plat contains 49 new residential lots and the creation or extension of six roadways on 15.280 acres. The site includes utility and drainage easements but does not include any reserves, "Do Not Disturb" areas or stormwater retention ponds that have been included in previous phases.

The site is zoned as R-2 (Single-Family Residential) and each of the proposed lots is in conformance with the minimum R-2 lot size and configuration requirements or match deviations that were approved with the Development in 2004.

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Autumn Grove Section 4 Plat as submitted.

Mr. Matt Kirk, EMH &T, was present to speak to the item and answer any questions.

There being no discussion, Mr. Titus recommended approval of the Plat to City Council as submitted. Mr. Rauck seconded the motion and it was approved 3-0.

**ITEM #2 – Mutts & Co. – Special Use Permit (Dog Grooming)**

**PID #202006030027**

Ms. Spergel presented the Development Department’s findings. She stated that the applicant is requesting approval of a Special Use Permit for dog grooming as part of a dog supply retail business proposed to be located in the former Buckeye Beverage Bay site on McDowell Road.

The business is proposed to have multiple components with a drive-thru pick up and an indoor store. Two dog wash stations are proposed to be located inside of the building and will be accessed from inside the store. Pet owners will be responsible for bathing and grooming their pets and no professional groomers will be onsite; however, due to it being similar to a dog grooming use, a special use permit is needed for the operation of the stations. It is anticipated that between one and eight dogs will be in the dog wash per day. Appointments will not be required, the stations are first come first serve, and all materials including shampoo, towels, the tub and other items will be provided for the customers.

The proposed dog wash will be open different hours than the regular retail business, closing 30 minutes earlier each day, to allow for sanitation time prior to close. It will be open Monday through Friday from 9 a.m. until 7:30 p.m., Saturdays from 9 a.m. until 6:30 p.m., and Sundays from 10 a.m. until 5:30 p.m.

Staff believes that noise will be well managed since the use will occur indoors and is situated along a commercial corridor with many other uses that provide retail, vehicle servicing, restaurants and other uses that create noise and light and will not create any additional impact on the area.

The applicant originally reached out to the Building Division regarding whether the site will work for their business. The retail component is permitted in the C-2 District; however, the dog grooming and drive-thru are special uses that require the approval of a Special Use Permit. A Special Use Permit has been also submitted for the drive-thru and will be reviewed concurrently with the dog grooming request.

The applicant has indicated that numerous site improvements will be occurring including major interior renovations of the building for the retail component and dog wash, repaving and restriping of the parking lot and adding some additional landscaping to the site’s frontage along McDowell Road. The plans currently show a proposed hedge along McDowell Road and three additional trees between the paved area and roadway. The building of the proposed business is located on the same parcel as the Tuffy Auto Service Center and both buildings have parking areas associated with each. Currently, the proposed location of Mutts & Co. has 11 available parking spaces associated with the building. This meets the required number of spaces based on the 2,133 square foot retail portion, and per code, dog grooming does not have a parking requirement. Plans show

six spaces will be provided with a note that more spaces are to be added; however, the applicant has stated that they may reconfigure the lot after it is repaved, so they are not sure how the final lot will be configured, but may keep it laid out as is.

Therefore, after review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit as submitted.

Mr. Mark Vitt, Mutts & Co., was present to speak to the item and answer any questions.

Mr. Titus mentioned that he is concerned with the flow of traffic on the site going from the front of the business, on the west, to the back and around. Mr. Vitt stated that he would be open to changing the flow of traffic. Ms. Spergel stated that this item was to discuss the dog grooming portion of the business and the drive-thru would be covered in Item #3.

There being no additional discussion, Mr. Titus moved to recommend approval of the Special Use Permit to City Council as submitted. Mr. Rauck seconded the motion, and it was approved 3-0.

### **ITEM #3 – Mutts & Co. – Special Use Permit (Drive-Thru**

**PID #202006030028**

Ms. Spergel presented the Development Department's findings. She stated that the applicant is requesting approval of a Special Use Permit to operate the center bay of the former Buckeye Beverage Bay business as a drive-thru for a retail pet supply business. The proposed drive-thru is to be used for curbside/preorder pick-ups, as well as drive-up orders and pick-up as an additional component to the Mutts & Co. business.

A Special Use Permit for a drive-thru was approved in 2011 for the Buckeye Beverage Bay. The business stopped the usage of the site in late 2018 or 2019 and due to no drive-thru use being re-established within six months, the Special Use Permit expired. The new request to operate a drive-thru is tentatively on the City Council agendas for July 20 and August 3 and is to be heard concurrently with the dog grooming Special Use Permit request.

The surrounding area mostly consists of other commercial uses including a Tuffy Tire and Auto Service Center located adjacent and to the south on the same property as the proposed dog retail business, the Derby Square Shopping Center located to the west containing Giant Eagle as an anchor, Walgreens and CVS to the north and various smaller centers to the east containing a mix of office and commercial uses. The nearest residential use is located approximately 200 feet to the south with the existing Tuffy in between. Additionally, this site has primarily been utilized as a vehicle service or drive-thru since the 1990s. The Tuffy business operates five different service bays on its portion of the property, and the building that is proposed for Mutts & Co. was constructed to be a multi-tenant commercial space with customers having short visits to the site. These uses have included the Buckeye Beverage Bay, a car wash, coffee shop, pizza shop and others. Staff believes that the continued use of a drive-thru on the site is appropriate and in character not only with the surrounding commercial area but also with the history of uses on the property.

The applicant's other Mutts & Co. locations feature a pre-order curbside pick-up option, and the proposed drive-thru will be used to provide that curbside option, but in a drive-thru approach instead of on the drive next to the building. Additionally, the drive-thru is proposed to take drive-up orders as well, which is a new component to the business. It is anticipated that between eight and 12 vehicles will access the drive-thru per

day with around two vehicles, on average, per hour. Vehicles are to enter the drive-thru from the west/front side and exit on the east/rear side of the building. Plans indicate that if vehicles stack up, another two to three can fit onto the site and will only block one of the parking spaces. There are approximately 100 feet of pavement from the bay door entrance to the curb cut onto the site, which could accommodate another two vehicles if more stacking is to occur, for a total capacity of six to seven vehicles accessing the drive-thru at one time. Staff is supportive of the site's layout as it will allow customers to park and access the indoor portion of the business without issues with circulation on the site.

Therefore after review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit as submitted.

Mr. Mark Vitt, Mutts & Co., was present to speak to the item and answer any questions.

Mr. Titus commented on the fact that the flow of traffic for the drive-thru is reversed from the direction it has been in the past, with cars entering from the front of the building and exiting to the back of the building. In the past, cars entered the drive-thru from the back and exited in the front. This gave cars room to line up. It doesn't appear that the current configuration will allow for the stacking of cars waiting in line to go through. He asked Mr. Vitt if there was a reason that the configuration was switched. Mr. Vitt stated that they were never given direction as to which way the flow should go. They chose the flow coming in from the front solely for visibility purposes. He stated that he would be agreeable to change the flow based on the City's recommendation. If the flow is changed, they would just have more open space in the back as opposed to creating additional parking.

Ms. Oyster asked Mr. Vitt if it was correct that three cars could be in line for the drive-thru without it affecting the parking. Mr. Vitt stated that this was their measurement; there would be one inside, one waiting and one aligned along the landscape area without impeding anyone. Ms. Oyster asked if Mr. Vitt's expectation was approximately 12 cars per day going through the drive-thru. Mr. Vitt stated that they would hope for more; however, that is a reasonable expectation based on the customer traffic they see at their other stores.

Mr. Rauch stated that he believes the flow of traffic would work the way Mr. Vitt has it laid out; however, the original design of the site has cars wrapping around the building. If Planning Commission is more comfortable with the old layout, this is a discussion that needs to happen now so that a recommendation can be formulated for City Council.

Mr. Rauck stated that he believes it's very important that the drive-thru is staged to load from the rear of the building as opposed to the front. This will make it easier for retail customers to back out of the parking spaces in front of the building. Mr. Vitt stated that he would be agreeable with this change.

There being no additional discussion, Mr. Titus moved to recommend approval of the Special Use Permit to City Council with one stipulation:

1. The entrance for the drive-thru shall flow from the east side (rear) of the building out through the west side (front).

Mr. Rauck seconded the motion and it was approved 3-0.

At this time, Planning Commission discussed the possibility of having a special Planning Commission meeting to be tentatively held on July 20 at 1:30 p.m.

Having no additional items, Chair Oyster adjourned the meeting at 1:55 p.m.



Mary Havener, Secretary



Julie Oyster, Chair