

Minutes of a Meeting  
of the  
City of Bay Village Planning Commission  
Held May 2, 2012

Present: Bruckman, Fleming, Krause, Majewski, Miller, Persanyi

Excused: Chairman Dzienny

Also Present: Mr. John Swidrak, Aodk, Inc. Architects representing  
BV, LLC

Vice Chairman Bruckman called the meeting to order at 7:30 p.m. The following members responded to roll call: Bruckman, Fleming, Krause, Majewski, Miller, Persanyi. Absent: Chairman Dzienny

**MOTION** by Persanyi, second by Fleming, to approve the minutes of the meeting held April 4, 2012, as prepared and distributed. **Motion carried 6-0.**

**BV, LLC for Bay Square Shopping Center  
Storefront Renovation (Space Currently Not Occupied)  
27245 Wolf Road**

Mr. John Swidrak, Architect for Aodk, Inc., representing BV, LLC, explained that the renovation is for an unoccupied, vacant space at 27245 Wolf Road. The reason for the renovation is to create a better leasing opportunity for the owner. A jewelry store had previously occupied the space. Mr. Swidrak displayed a photograph of the space which illustrated the wall signage for the guidelines of the Bay Village Square, a small window that was used for display, and the entrance door. There has been difficulty getting a tenant into the space, and the owner of the shopping center would like to bring the space in line with the remainder of the spaces. The goal of the project is to demolish the brick that is in the storefront, down to the existing sandstone base, put in a new glass storefront that would be consistent with the other spaces, with anodized aluminum frames, insulated glass, and new door hardware. Mr. Swidrak displayed a rendering of the look of the storefront when the project is finished.

There is no tenant scheduled for the space at this time. When an application is received for occupancy, any and all improvements to bring the space up to code will come under a separate plan review, Planning Commission hearing for change of use, occupancy, and all other requirements. The application at this time is only for the storefront renovation.

Mr. Swidrak will appear before the Architectural Board of Review in regard to the storefront renovation on Wednesday, May 9, 2012.

Mr. Persanyi asked if the hardware for the storefront will be matched to the existing stores in the shopping center. Mr. Swidrak stated that it will be matched, and noted that some of the newer

storefront systems have improved glass installation. It appears that the brick that is in the area is a different style and texture, suggesting that there was glass in the storefront at one point.

Mr. Bruckman asked if the new window treatment will extend beyond the existing overhead. Mr. Swidrak stated it will extend over, all the way to the wall. Upon some demolition in the existing conditions, it might be held off four to six inches where a joint lines up, but the idea is to have the clear, anodized aluminum wrap so that it is continuous. The design is consistent with adjacent stores, and will be properly flashed.

Mr. Miller noted that Aodk is the firm that did the original re-design of the shopping center. The architect can generally insure that the details provided for the first renovation will be part of this storefront renovation.

Mr. Persanyi asked if the windows will go up to where the old brick was on the storefront. Mr. Swidrak stated that the structure that runs through the storefront is continuous and it appears that it runs from a pier all the way across to the location of the storefront. The glass would be in line with it at that height.

**Motion** by Majewski, second by Krause, to refer the application of BV, LLC, for storefront renovation at 27245 Wolf Road to the Architectural Board of Review for study and recommendations. **Roll Call Vote: Yeas – Bruckman, Fleming, Krause, Majewski, Miller, Persanyi. Nays – None. Motion carried 6-0.**

The application will return to the Planning Commission for final approval on Wednesday, June 6, 2012.

**The next item on the agenda, Visconsi Companies, Ltd., proposed new bank, pre-submission conference, was tabled at the request of the Visconsi Company until June 6, 2012.**

### **Council Update**

Councilman Clete Miller advised that Council did not meet on April 30, 2012 since it was the fifth Monday of the month. Previous to that, activity included:

### **Advertisement for Bids for Renovation of the Dover Center Road Tennis Courts**

The idea is to completely remove the fence posts, the surface on top of the tennis courts, take it down to the base, and start over. The process is similar to the tennis court renovation done at the Bradley Road Park. One change to be considered is the lighting. The existing lighting has had some posts removed and there are dark spots on the courts. It is proposed to redo the lighting, potentially with an energy saving system. There was thought that something may be done with solar energy, however, there was some hesitation on the part of Council as to whether that would be affordable at this time. Mr. Persanyi asked if the lighting for the tennis courts is metered through city hall meters, or billed with the city's street lights at a fixed cost per month. Mr.

Miller stated that he believes the tennis court lighting is part of the electrical system throughout the park. It is part of the aggregate cost of electricity to the municipality.

The existing fence at the tennis courts will be salvaged for use in other areas, if possible, and the portion that cannot be reused will be disposed of.

### **Bradley Bay Health Center**

At the last Board of Zoning Appeals meeting there was not a full contingent of members present. Mr. Norton presented to the applicant an opportunity to wait until a full contingency of members is present for a hearing, which is on the agenda for the Board of Zoning Appeals for May 3, 2012. The project for expansion of the Bradley Bay Health Center will not be presented to the Planning Commission until the process with the Board of Zoning Appeals is completed. If the Board of Appeals should not approve the application, the project is out of the hands of the Planning Commission.

Mr. Persanyi asked if the Board of Zoning Appeals will be required to conduct a public hearing as part of their application. Mr. Majewski stated that in the past a special permit would have to be provided for an extension on their current property. Since he has not seen the application to the Board of Zoning Appeals he does not know the extent of their appeal, or what the solution would be for the adjacent property. Mr. Miller noted that the use and two variances are being considered. A special permit would be required for the use in non-conforming zoning. Mr. Majewski stated that they are basically asking to be rezoned. Following the letter of the law, that would have to go out to the public for vote.

### **Bayway Cabin**

For the last month or two, there have been discussions about leasing Bayway Cabin to Kiddie Kollege to provide an after school program for children, grades five through eight. That met with some question as to whether a for-profit daily operation should be permitted in Cahoon Memorial Park. It was brought to a vote and a majority said no because they were uncomfortable with a daily for-profit operation in the park. The city is in the process of re-tailoring the agreement, that it is not so much leased to Kiddie Kollege, but it is more of a partnership with the city. The city recognizes there is a need; there has been a need for a long time, we still have the same amount of children. By partnering with a vendor like Kiddie Kollege, they would provide the service as a vendor to the city with more appropriate fees. That would keep a lot of control in the city's hands and keep the Kiddie Kollege program as a need that is being provided by an outside vendor. That second iteration of the proposal may be presented to Council soon.

### **Fence Regulations for Lakefront Yards (C.O. 1163.05 (e) (f) (g) (h)**

The Law Department has brought up the fence ordinance as a potential change. Depending on how the fence ordinance is read, for those properties north of Lake Road, you could either have a 4'6" fence, or you could not, depending on your interest. Having heard some of the arguments

about privacy screens being in close proximity to the backs of homes so that the property owners each have privacy from their neighbor, the Law Director felt that it was time to make sure those privacy screens are acceptable by ordinance.

### **Community House**

The Council has initiated some effort toward reviewing the use and needs for restoration of the Community House. A check list of general items has been developed and there will be a meeting with contractor Doug Gertz, who is a member of the Bay Village Historical Society. A hard look at the body of the building will be done to determine the work that will be required to make the building last longer, including the bathrooms and accessibility. Decorations may come about, but it is not a high priority. The kitchen needs to be more accessible to groups that may want to use it. The Bayway Cabin has a kitchen, but if Kiddie Kollege is there it will not be available for groups. The Community House could be looked at for providing an alternative use source for groups that may need kitchen facilities.

Mr. Bruckman recalled the study by the Cleveland Restoration Society of the Community House. Mr. Miller stated that the list that he has created for work to be done at the Community House is mostly from that study of the Community House by the Cleveland Restoration Society. The committee hopes to develop documents to realize costs for repairs as well as provide realistic, potential users to offset those expenses, or at least provide revenue over the years. He noted that the Cleveland Restoration Society had some good observations; some are quite apparent. Some of the retaining wall is falling apart. Accessibility is very clearly at a loss because the lift doesn't work.

### **Vicious Dogs**

The State of Ohio recently passed a bill which modified the vicious dog ordinances. The law now excludes reference to certain breeds as vicious dogs, making reference instead to the behavior of dogs rather than by defining an individual breed. Whether the City of Bay Village should not follow those guidelines of the state is still being discussed.

### **Prohibition of Deer Feeding**

Legislation to prohibit the feeding of deer is being considered for adoption. People will no longer be able to place feed out for the animals. There was some question about bird seed in the language, but is not to mean that birds cannot be fed. A bird feeder may be placed where a deer can reach it, but it is not intentional for feeding deer. Putting out a tray of food where it is easily accessed can be interpreted as feeding deer. Enforcement of the regulation will be complaint driven.

### **Traffic Signals at the Bradley/Naigle Roads Intersection**

The traffic signals at the Bradley/Naigle Roads intersection are very close to being activated. Instead of having a triple redundant system to actually make sure that the signals are working,

and the traffic signals are not permitting traffic to cross the railroad tracks, the state changed it from triple redundancy to a six-redundancy system. This would mean a revision of the panels. The Building Department and Service Department are claiming that because the City of Bay Village project is at a certain point, they can maintain the triple redundancy. If they can't get that approval, to make the system compliant an additional \$100,000 would be required. Mr. Miller noted that there has been considerable savings with the project costs to the point that the additional \$100,000 would not be required over and above estimated project funding. Mr. Persanyi questioned the need for additional redundancy noting the existence of the functioning railroad crossing gates.

**ADJOURNMENT**

**Motion** by Persanyi, second by Majewski, to adjourn at 8:05 p.m. **Motion carried 6-0.** The next meeting of the Planning Commission will be held Wednesday, June 6, 2012 at 7:30 p.m.

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Abe Bruckman, Vice Chairman

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Joan Kemper, Secretary