Minutes of a Meeting
of the
City of Bay Village Planning Commission
Held March 6, 2013

Present: Bruckman, Dzienny, Lee, Lesny Fleming, Maddux, Majewski, Persanyi

Also Present: Building Official Milburn, Father Tim Gareau, St. Raphael's Parish, Bob Zarzycki, Jim Malik, Zarzycki-Malik Architects

Audience: Bruce Geiselman, Sun Newspaper

Chairman Dzienny called the meeting to order at 7:30 p.m. in the Council Chambers of Bay Village City Hall. Following the roll call, Mr. Dzienny called for approval of the minutes of the meeting held January 16, 2013.

Motion by Lee, second by Maddux, to approve the minutes of the meeting held January 16, 2013. Motion passed 6-0. (Mr. Persanyi arrived immediately after the minutes were approved.)

St. Raphael's Catholic Church
525 Dover Center Road
Preliminary consultation of new Church project

Mr. Bob Zarzycki and Mr. Jim Malik of Zarzycki-Malik Architects, Inc. presented plans for the new worship space for St. Raphael Catholic Church, Phase 2 of the church project. The worship area will seat approximately 1100 people, and a choir of 100, totaling 1200 people. The church has acquired the neighboring parcel to the north, allowing them to have a more gracious entrance, to allow the accommodation of more traffic flow into the site, and to provide handicap parking adjacent to a very primary entrance. It has also allowed for the inclusion of a canopy for dropping off members of the congregation and visitors during inclement weather. There will be two lanes of traffic, with one lane able to bypass the drop-off area. When there are funerals, it will allow the funeral procession to proceed more efficiently with the hearse going through the canopied area.

Mr. Zarzycki pointed out the community center of the church completed in 2008 as part of Phase 1 of the master plan of St. Raphael's. Parking is provided to the east of the church complex, and the major flow of pedestrian traffic through the entrance is designed as part of the eastern line of the building. The people coming to the new worship space will come through that entrance and travel down the corridor into what is called a gathering space, and then enter into the worship space. The sanctuary will now be at the Dover Center side of the building. They are also proposing, in addition to the worship space, a meeting space, called the community room. This space would be used for luncheons after funerals, and various church related meetings. The gathering space can be accessed from the parking lot entrance of the covered drop-off entrance.

The over-all character of the church is maintaining the traditional appearance, although much larger. It has been broken down into segments. The church resembles the size and shape of the existing church. The theme mark of pointed arches will be continued throughout the complex. A tower is proposed in proportion with the existing size of the church, to maintain the reverent peak. The height of the church inside will now be lower than it was originally. The original church is 44 feet tall; the new church will be 35 feet tall. New parking criteria, landscaping criteria, and ground cover criteria have been met and are all in keeping with the church's master plan. Further documentation will be presented at the next meeting of the Planning Commission.

The existing church will be demolished. The house on the corner that has been acquired and former rectory on the church grounds will be demolished in the next few months. The entire corner will be landscaped to provide a more gracious entrance.

Mr. Dzienny asked if the demolition of the property on the north is in violation of the contiguous property laws. Mr. Majewski stated that the contiguous land does not exist anymore. St. Raphael's would fall into the conditional use category now. That chapter would govern this project.

Mr. Dzienny stated that when the community center room was approved, there was an issue of the amount of square footage on both of these properties. Mr. Persanyi stated that it was only in the sense that there is a chapter in the codified ordinances dealing with increasing the area. They could only increase the building area by a certain percentage. Mr. Milburn stated that there were really no guidelines and regulations the first time St. Raphael's was in front of the Planning Commission because Chapter 1124 did not exist at that point. That came about later, and that is the Conditional Use chapter that has all the parameters for setbacks, coverage, and heights. We did not have that before so we were using the requirements of the First Residence District. Now, we are being governed by Chapter 1124 and Chapter 1129 for this project.

Mr. Bruckman asked if there have been any thoughts about additional requirements for screening or buffering relative to the placement of the driveway and whether or not activities in the community room become problematic with the two neighbors.

Mr. Dzienny referred to an email communication on March 4, 2013 received from Clete Miller, Councilman, Ward 2, who was on the Planning Commission when Phase 1 of the St. Raphael Church Project was approved. Mr. Miller's comments were that the church had not met the buffering that was asked for during that time. Mr. Miller states that the buffering is deficient, and in addition there are some dumpsters for recycling materials that were added in. That also would need additional buffering.

Mr. Zarzycki stated that they would look into this. There is a 6 ft. high fence that goes around the line of the side of the property. Mr. Persanyi stated that he believes Mr. Miller may be talking about the buffering on the south side of the property. There are places where the greenery that is between the sections of the fence is dying. This might be because the area is heavily wooded and the trees shade the evergreens between the sections of fence.

Mr. Milburn stated that he had conversations with the maintenance person at St. Raphael's 18 months ago, who stated that they were having problems with the landscaping contractor. They were looking for a new landscaping contractor. When this project was completed, all of that landscaping was installed. It has died over the years, either from poor stock, inadequate care, improper depth or lack of fertilization. It does need to be addressed and planting replaced. The recycling dumpsters will have to be dealt with also. The south side of the property does not seem to have grown as expected.

Mr. Zarzycki stated that they will have a landscape architect on board to help address these problems. Mr. Bruckman stated that this may need a little bit more attention as the plans become finalized.

Mr. Persanyi addressed the parking issue. The code requirements for parking for a place of worship are one parking space for each six seats in the assembly, or the total square footage of the area, or areas that are used, whichever calls for greater.

Mr. Zarzycki stated that they will formalize the number of parking spaces to be included in their submittal, but he is convinced that they are well within the requirements of the code. Calculations indicate that they have 350 plus parking places on site, and the requirement of the assembly area comes to about 240 places needed. There are probably only two occasions, Christmas and Easter, when there might be more need. There is a little bit of latitude in Codified Ordinance Section 1191, which permits the counting of some of the spaces available within the commercial districts, up to almost 50%. Those have not been taken into account.

There are 294 marked spaces now. There are another 29 on the grounds of the Administration Office (former Douglass Building). They have added another 10 of handicapped parking. There are additional places where people park for daily Mass that accommodate up to 20 people. That totals 350 cars, on site.

Mr. Persanyi stated that everytime he picks up his granddaughter when she is serving at Mass there are cars everywhere – in the parking lot and on all of the side streets. This is for a capacity of about 600 presently. Going with an additional 500 capacity, where will these people park?

Mr. Zarzycki stated that part of the rationale for an increased size is to have less frequent services. The spacing between services will eliminate that parking overlap. That may be what is being experienced right now. There will be longer separations between Mass times, allowing the people to dissipate.

Mr. Persanyi noted that the same thing happened at Bay Presbyterian Church. They said the people linger and that is why more parking is needed.

Mr. Dzienny asked how many people are standing at a full capacity Mass. Father Tim stated that he does not think there will be 1100 people at all of the Masses. They are going down from 6 to 4 Masses with the new church. At Christmas and Easter, there are police on site to manage the parking.

Mr. Maddux stated that there are many people that walk to church. The plans do not indicate that the pedestrian relationship to Dover Center Road is as strong as it is now. There could be a strong connection to be able to get to the entranceway off of Dover Center. There should be some way to get to Dover Center without walking on the driveway to get into the church. Mr. Zarzycki agreed with Mr. Maddux and will adjust the plans accordingly.

The next step for this project is a formal presentation to the Planning Commission. The lot to the north that has been acquired will be consolidated into the church property, in accordance with the requirements of state code. From the preliminary talks with the architects, it seems that all of the setbacks are being met. That will be discussed at the formal presentation to the Planning Commission when dimensions will be included on drawings.

Mr. Bruckman asked if there has been any discussion about the materials from the building that will be demolished. Father Tim stated that they spoke to Habitat for Humanity, and they were not willing to assist in any capacity to take anything from the houses that will be demolished.

Mr. Zarzycki noted that everything that can possibly be used from the old church will be reused in the new church. The green marble, all of the windows, the altar, and the crucifix will be used in the new church. Because of the shape, the old pews will not be able to be used. Every pew has a different length and size, and it will not be cost effective to try and cut up the existing pews.
A new home will be found for the old pews.

Anticipated construction time is 90% completion in one year. Construction would begin in June of 2014. Access off Dover Center Road will be maintained during construction.

Mr. Lee asked about the future garage that will be constructed on the property of the existing home to the north of St. Raphael's that will be torn down. Mr. Zarzycki stated that the existing garage will be used during construction for storage. It will be replaced in the future with a new garage.

Mr. Persanyi asked if there is any other place the recycle dumpsters can be placed so they will be shielded from all of the neighbors. Would it be possible to have parking spaces, if necessary, where the current bins are? Mr. Persanyi noted again that he is concerned about the parking. Mr. Zarzycki stated that they will bring in a three dimensional model of the project. They are proposing to use the same materials and colors that were used during the first phase of construction. Mr. Maddux stated that the Architectural Board of Review may find it helpful to see the existing church depicted in comparison to what is being proposed now, for the purposes of scale.

Father Tim stated that he has a brother who has an import/export company in Berea, and may possibly provide a couple of containers, 40' x 8'8". These would be used for storage when the old church is torn down. Mr. Milburn stated that the location and description of those containers should be included in the drawing that will be submitted for the formal hearing. Mr. Dzienny stated that there might be an issue about this with the neighbors at the public hearing. Mr. Milburn added that they do allow that for residential new homes because many times there were

homes on the property that were demolished and they want to retain some of the features. Instead of leaving them outside, one or two of those storage pods will be used for storage for these items, as well as for new items to be used during construction.

Mr. Zarzycki stated that they are anticipating replacing the current signage with something similar to what is being used by the Bay Village Schools. Signage will be reviewed by the Architectural Board of Review. Mr. Majewski noted that the size and location of the signage will be reviewed by the Planning Commission.

Mr. Dzienny asked if the landscaping will expand to be across the whole property. Mr. Zarzycki stated that new landscaping will continue the existing landscaping which will remain. Mr. Lee asked the plans for relocation and saving of the rose bushes. Father Tim stated that some have been placed in the court yard, and they will find a home for the others in the additional, new courtyard.

Mr. Persanyi asked that the next set of drawings include a dotted line for the existing foot print of the existing building.

The new church will have a 50 ft. front setback from Dover Center Road.

Mr. Majewski asked if there is additional lighting planned for the new driveway. Mr. Zarzycki stated that this will be part of the plans submitted. They understand the shielding problems and the overflow on neighbors' properties. Similar light fixtures used in Phase 1 will be used. They would like to use the building for lighting instead of using light poles.

The traffic flow has yet to be resolved. The main route is wide enough to be two-way traffic.

Mr. Dzienny thanked Father Tim and Mr. Zarzycki for their presentation. He asked if they understand all the requirements of Chapter 1129 when formal proposals are done. Mr. Zarzycki stated that they do understand, but questioned the requirement for a traffic study. Mr. Dzienny stated that the St. Raphael's traffic will be a burst in and a burst out, before and after service. Mr. Persanyi stated that the only time a traffic study was required was for the CVS Pharmacy and the original Bradley Bay Nursing Home. These concerns were because of the proximity to the railroad traffic, and not-as-much to the amount of the traffic. Mr. Dzienny commented that more important than the traffic study is the parking issue discussed by Mr. Persanyi. After the over-lap of Masses is gone, is the lot still full? If that is the case, then there is a parking problem. If it just the 15 to 20 minutes between the two services, it is not that big of an issue, especially if the Masses will be spaced out. Mr. Dzienny suggested reviewing this during a couple of different Masses.

Mr. Majewski noted that the importance of the traffic flow; the entrance and exit of the traffic and how it will flow in and out. Mr. Maddux stated that there is an existing drop-off in front of the church now, which operates independently of the rest of the traffic. The drop-offs are being combined into one flow which is probably better, but may potentially block the flow of people. Mr. Dzienny asked about the possibility of pushing the parking toward the green space and the

drop-off remaining at the drive, closer to the canopy and sanctuary. Mr. Zarzycki noted the handicap spots in front, close to the sidewalk.

Mr. Dzienny thanked Father Tim and Mr. Zarzycki for their presentation to the Planning Commission this evening.

Mr. Lee advised that he is a member of St. Raphael's Parish and has been a volunteer on some of the fund raising. When the formal presentation is made, Mr. Lee will abstain from involvement. Mr. Majewski and Mr. Persanyi are also members of St. Raphael's Parish. Mr. Majewski commented that he did relate to Mayor Sutherland that in the City of Westlake, St. Bernadette's Church was applying for a Conditional Use permit. Some of the members of the Board excused themselves due to their membership with St. Bernadette's. The Mayor of Westlake appointed temporary members to the Planning Commission at that time. Mayor Sutherland will check with Law Director Ebert regarding the possibility of this for the St. Raphael's submittal, in the event that there are not enough people on the Planning Commission to vote.

Council Update

2013 Budget

Councilman-at-large Lee reported that the Monday, March 4 Council meeting included the first reading of the 2013 Budget. Revenue trends, unfortunately, continue downward. Income tax revenue has stabilized and is projected to increase slightly. Real estate tax revenue is down slightly as a result of the county's three year reappraisal. The more important declines are in the Local Government Fund from Columbus, and the elimination of the Estate Tax.

The current draft of the budget has a gap of about $450,000. The Mayor and Finance Committee continue to look at ways to reduce that deficit. The budget must be approved by Council by the end of March.

Outsourcing the functions of the Building Department

SAFEbuilt provides these services to approximately 100 communities around the country. This proposal was brought to Council by the Mayor. Mr. Galli would continue to be the Building Director but SAFEbuilt would report to him under this proposal. The people from SAFEbuilt will interview all of the existing employees. The expectation and hope is that most of those folks would be interested in applying to work for SAFEbuilt. Historically, they have hired a high percentage of people when they have gone into these types of arrangements. The proposal would save the city approximately $200,000 for 2013 and on an annualized basis a savings between $400,000 and $450,000 is what is projected. Building fees cannot be increased without city ordinance. SAFEbuilt has analyzed the fees as they exist today and does not anticipate any changes needed.

SAFEbuilt will use Bay Village as a hub and will also provide services for other communities, utilizing some of the same personnel. They also have resources outside of this office, and a lot of expertise they are able to tap in through remote offices. This is their first location in northeast

Ohio, and they hope to use Bay Village as a hub, expand to some of the other surrounding communities, and potentially utilize some of the empty space on the first floor of this building to house some of those additional people as their operations grow.

Resolution of insurance claim for hail damage

The city has resolved its insurance claim for hail damage in 2010. The Service Department will begin work on some of the municipal buildings that were damaged by that storm. Insurance reimbursement is in an amount between $450,000 and $500,000. There was a separate resolution for a claim for the collapsed salt garage in the amount of $320,000. The salt storage building will be replaced according to the decisions of the Service Department as to whether the building will be used in a different manner, or exactly as it was before the roof collapsed.

Cleveland Water Department

The Cleveland Division of Water is proposing a new twenty year agreement to participating communities. Twenty-eight municipalities have signed the agreement. The significant change is that it results in the Cleveland Water Department taking ownership of the water mains in the city and having capital responsibility for replacing those to the extent they need to be replaced. One of the questions associated with this proposal is where would Bay Village's water mains rank in those available capital dollars. The agreement comes with an anti-poaching agreement that the city enters into with each of the communities. If an employer moves from Cleveland to Bay Village and the employer has over $500,000 in payroll there is some tax sharing involved.

According to the City of Cleveland, Bay Village has 68 miles of distribution pipes in our community and 47% of that was installed prior to 1930. The advantage to the agreement is the capital they are willing to invest in the mains. They have $2 million in their budget that will grow over time to $15 million that they would invest in the mains, spread among all of the communities that participate in the program. Where Bay Village's mains would rank is something that needs to be better understood before moving down that path. There has been some analysis done where there have been frequent breaks and there is some concern that eventually there are some capital dollars that need to be devoted to the project. There hasn't been a formal review of the existing mains to determine where we are most vulnerable.

Mr. Persanyi asked why the City of Cleveland would put all of that money into this program. Mr. Lee stated that he thinks it guarantees relationships for a longer period of time. It is a way for them to lock in the customer base. The concern is that once you transfer the ownership of the mains, what happens if you ever elect to go in a different direction and they own the mains. The answer is that they will transfer those back but at the cost of reimbursement for all the capital dollars they have put into them.

Mr. Persanyi stated that the Cleveland Water Department has historically been a piggy bank for the City of Cleveland. This city should start actively looking into getting out of the Cleveland Water System and joining with Westlake and other communities near the lake to build their own system. All of the Cleveland costs are going up and the breaks are still happening.

Mr. Lee stated that Council will want to meet with the City of Westlake to explore options available to the city. All the plans are preliminary at this point.

Replacement of the city's phone system

The phone system that services the municipal buildings is now becoming obsolete. The system is over ten years old. Estimates for replacement are in the $30,000 to $50,000 range. The Finance Director and outside vendors are currently analyzing system needs and determining what the city will do if they decide to go forward with some sort of replacement. The voice-mail system portion has become obsolete. A lot of other communities with a similar system have had to seek replacement.

Miscellaneous Comments

The Mayor has been actively involved in House Bill 5 concerning the collection of municipal income taxes by the state. The latest version of the bill is detrimental to the city because it changes some of the amounts that would actually end up in the city's treasury. The Mayor is trying to protect the city along with several other area Mayors. The bill was introduced in the 2012 assembly, and ultimately did not go forward. The bill has been tweaked since then. A lot of attention is expected to this issue during these first six months of 2013.

Further discussion followed concerning the SAFEbuilt proposal. Mr. Milburn stated that the Building Department brings in over $300,000 for building permits, contractor registrations, rental housing licenses, and fees for Boards and Commissions. There is no Building Department in the State of Ohio that is self-sufficient, and not operating in the red. Olmsted Falls was in the black in the midst of a big housing boom, with 400 to 500 new homes per year, but that did not continue. It is the wages, medical benefits, vehicle needs, that are the major costs. An inspector makes a salary of $60,000 per year, and added to that is the cost to the city of the pension, medical, and vehicle use. This can amount to $100,000 per employee. There are 5 full time employees in the City of Bay Village Building Department. SAFEbuilt will take 85% of the revenue as their business model. They use local people but are able to tap into their other resources and expertise for certain issues. They are also to tap into their other offices to handle an abnormal flow of work in the event of a spike in permits due to such things as the hail storm that occurred. The contract will become effective May 1, 2013, if approved by Council. Facing all the deficits from the loss of revenue, this is something that was identified by the Mayor as an opportunity and presented it to Council. She has done a good job of checking the references and talking to other communities where this has been done.

Mr. Bruckman asked if there was any discussion about using other resources like the Local Government Innovation Fund which supports feasibility studies to help make a determination as to the cost savings of consolidation of services. This is a program that is offered by the State of Ohio. The proposition of SAFEbuilt is interesting, but which neighbors are being considered as part of this future consortium? It is probably the immediate neighbors, but it would be interesting to really know which neighbors and have some study to understand this in the future context, but is also sounds as if there is a lot of pressure to reach a decision sooner rather than later. This is the dilemma that the city is facing right now.

Mr. Lee stated that he does not know what communication the Mayor had with neighboring communities. There is a lot of cooperation among the COG communities on other issues.
Mr. Bruckman noted that neighbors might also include Lorain County, but he does not know if there is any reason why we might be precluded from talking to Mayors in adjoining counties.
Mr. Milburn noted that all certified Building Departments are using state residential and commercial codes. Most cities have adopted the state property maintenance code as well. Every city has different zoning. Mr. Maddux noted that the differences between Rocky River, Westlake and Bay Village are huge, even though they all use the same code.

There being no further discussion, the meeting adjourned at 8:46 p.m.

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Andy Dzienny, Chairman Joan Kemper, Secretary