

Minutes of a Public Hearing and Meeting
of the
City of Bay Village Planning Commission
Held May 1, 2013

PUBLIC HEARING

**St. Raphael's Catholic Church
525 Dover Center Road
Phase 2 Church Project
Removal and Replacement
of Church with expanded
Worship Space and related Community Room**

Present: Bruckman, Dzienny, Lesny Fleming, Persanyi
Messrs. Lee and Majewski excused themselves from the public hearing due to the fact that they are members of St. Raphael's Parish. Mr. Maddux arrived at 8 p.m. after the public hearing.

Also Present: John Cheatham, SAFEbuilt, Law Director Ebert, Kris McGivney, Father Tim Gareau, St. Raphael's Parish, Bob Zarzycki, Jim Malik, Zarzycki-Malik Architects,

Audience: Bruce Geiselman, Sun Newspaper, Bob Yost, Pat Kenney, Steve Merkel, Jeanette McGovern, Gary Ippolito

The Public Hearing was called to order at 7:30 p.m.

Mr. Bob Zarzycki and Mr. Jim Malik, architects, presented the plans for the new facility to the public. This is the final phase of a Master Plan for the growth of St. Raphael's Parish that was devised several years ago. The first stage of the project was the Parish Activity Center to allow space for worship during construction of the new facility. The new facility is planned for construction beginning in June of 2014, and will replace the existing church. A site plan was displayed showing the new 20,500 square feet church, replacing the existing 11,000 square feet church. The new church will seat 1100 people and a choir of 100. The plans also include the addition of a community room which will be available for funeral lunches, specialty classes, and gatherings.

The entrance to the site will be expanded with a landscaped boulevard and the provision of handicap parking and a covered drop-off area. The corner lot immediately to the north of the existing church has been purchased by the parish. The home on the lot will be demolished, and

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eventually the garage will be demolished. The existing building on the church grounds that was the former rectory will also be demolished.

The main entrance to the church will remain the area off the rear parking lot. Mr. Zarzycki explained in detail the site plan for the planned construction, pointing out the existing facilities on the plan. The setback being established for the new church is the same as the current setback, with the taller portion of the church being set back farther. The front elevation resembles the existing architecture, and has been broken down into smaller components so that it is not an overwhelming structure in the front. The goal of the construction is to be very traditional, both inside and outside the new church. The same materials that were used for the Parish Activity Center will be used for this new church construction. The only new material proposed is granite in the center of the church where there will be a rose window with the granite recessed into the structure. The stone will be polished with the cross images of a black matte finish.

A height variance will be needed for the spire on the top of the church. The main body of the church will be 37 feet, 6 inches high instead of the 44 feet that it is currently. The most remote seat in the new church will be 70 feet away from the altar. The last seat in the present church is 110 feet away from the altar.

Mr. Dzienny called for questions from the public.

Patrick Kenney, 26927 Osborn, asked if there will be any difference in the traffic pattern for the new church affecting Douglas Drive and Osborn Road, both during construction and after construction.

Mr. Zarzycki stated that there will be no change in the traffic pattern. The driveway will be maintained throughout construction. The traffic will continue to move in both directions as it has in the past.

Steve Merkle, 380 Oakmoor Avenue, congratulated the architects, stating that they did a marvelous job. Mr. Merkle is a member of Bay Presbyterian Church but noted that a growing congregation is a good problem. St. Raphael's has come up with a good solution and definitely worthy of very serious consideration on the part of the Planning Commission. A church which stands faithful to their King, Jesus Christ, is an asset to the community and St. Raphael's is such a church.

Jeanette McGovern, 26928 Osborn Road, stated that it appears that ingress changes a little, egress remains the same. Mr. Zarzycki agreed. Mrs. McGovern asked about the plans for additional parking for the additional seating capacity of the new church. Mr. Zarzycki stated that the Planning Commission asked for a study of the parking. The current striped parking spaces

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on the site are 294. The current striped parking spaces at the St. Raphael's Administration Building are 29, and the current striped parking spaces at the Post Office are 29. This is a total of 352 parking spaces. In the busiest Masses, the total available striped unused parking spaces were 130. Parking spaces used during this time numbered 222 for the current seating of 700. This amounts to 58% of the 1200 seats that will be in the new church, which would require an additional 160 parking spaces, or 382 spaces. Ten more spaces will be added to the 352 that were counted. Additionally, unstriped parking spaces on the site and off-site street parking of 30 spaces are also available. This provides total parking of 392 spaces, or ten more spaces than required.

Mrs. McGovern asked what the code requires for parking. Mr. Zarzycki stated that the code requires one car for six seats, or one car per 42 square feet of seating area. This amounts to 200 to 250 spaces required.

Mr. Dzienny noted that Masses will be staggered differently. This will improve the parking situation by the fact that spaces will be freed up by previous attendees prior to the next group of the congregation arriving for Mass.

Jeanette McGovern asked if there was a memorandum prepared by any staff member of the City of Bay Village for the Planning Commission analyzing the project, what part of the code will be applied, what variances will be required, and the parking analysis. Mr. Dzienny stated that a memorandum was not provided.

Mrs. McGovern asked what portion of the zoning code will be provided in the analysis of this project. Mr. Malik informed Mrs. McGovern of the base line study that was done. The base line determines the pre-existing condition before the conditional use requirement for setback and variances. The total square footage of the entire facility increases less than 35% with the new construction. Mrs. McGovern was provided a copy of the study by Mr. Dzienny at the end of the meeting. A one foot variance will be required for the height of the spire.

Patrick Kenney asked the code for start and stop times during construction. Mr. Kenney also asked if these times are recorded on the Building Permit itself. He was informed by the Law Director that the applicant is informed of the times that construction can take place when the permit is issued. However, there are times when extensions are granted. Those will be noted in the file of the project. Mr. Kenney asked the recourse of the residents when there is a violation of the permitted construction hours without an extension. Mr. Ebert stated that the Building Department should be called to report the offense. Mr. Dzienny added that the Police Department can also be notified of a noise complaint.

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Karen Campbell, 550 Douglas Drive, owner of the property directly east of the back parking lot, asked the traffic pattern for the construction vehicles. Will they be using Dover Center Road and not Douglas this time? Mr. Malik stated that during Phase 1 of the project they had construction vehicles in the back. The new construction will be done in the front. However, to try to turn around in the drive on a school day will be difficult for a truck; they probably will have to use the one-way traffic along the side and out onto Douglas Drive.

Ms. Campbell asked if there will be any storage trailers or materials on site. Mr. Malik displayed a sketch of the site that was submitted to the Planning Commission. The church has some storage requirements from the existing church, as well as in the current rectory. They are proposing to place two storage units, 8 foot high, 8 foot wide, and 40 feet long. The placement of those units was pointed out on the sketch by Mr. Malik. There will be no markings on the units and they will be freshly painted.

Ms. Campbell stated that many of the households along Douglas Drive have been concerned about the buffering from the project two years ago. Some of the plantings are sparse, and some are dying, and the lights from the cars in the parking lot are intruding into the homes of the neighbors. Ms. Campbell expressed appreciation to Father Tim of St. Raphael's for his assistance in having the recycling containers removed from the parking lot.

Paul Koomar, 26622 Bruce Road, stated that one of the most frequent questions he has received recently is in regard to parking. Parking was an issue when the Bay Middle School was constructed. Mr. Koomar respectfully requested that a city director look at the parking numbers provided by the architects and confirm that adequate parking is provided and is according to code. Mr. John Cheatham of SAFEbuilt will take up that request.

Regarding the traffic flow for construction, Mr. Koomar stated that when the Bay Middle School was built, the West Oakland and Cahoon Road residents were given a construction traffic flow plan and the residents were invited to monthly meetings for construction updates. If Douglas Drive is used for the St. Raphael project, there is traffic on Normandy from the public school that is on Normandy Drive that may also be impacted. Mr. Koomar asked the architects to revisit the construction traffic flow.

Mr. Dzienny noted that the Bay Middle School construction was different than the St. Raphael's project. A school was being built behind a school and access was only provided through a residential area. Most of the St. Raphael project will be accessed off of Dover Center Road. Mr. Persanyi added that the project should be planned so that most access will be off of Dover Center Road. Dover Center is a county road and repairs would not fall onto the neighbors on the side streets. Mr. Persanyi also suggested putting the new driveway in first for access to the parking lot so that the construction traffic could use the old driveway.

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Mr. Dzienny expressed agreement with the suggestion of monthly meetings with the neighbors of St. Raphael's.

Mr. Malik stated that there is not a lot of area for staging and for construction trailers. If the new road is built first, it would push more of the staging environment closer to Osborn. The contractor will review the suggestion.

Mrs. McGovern asked about the storm water and sewer flows for the new construction. There was previous discussion when the first phase was done about taking the storm water down the side street or out to Dover Center Road. Mrs. McGovern asked the impact of this new footprint on storm water and sanitary sewer.

Mr. Zarzycki stated that the storm water design anticipated the construction of the new church. There is a new storm system that runs the whole length of the property that is all retention. The civil engineer with the architectural firm will make further recommendations as required. A new sanitary sewer was placed with Phase 1 using an eight inch pipe for the facility.

An existing electrical transformer will be removed and a new transformer will be installed to tie in and back feed the power for the school.

Gary Ippolito, 27101 Osborn, asked for a general overview of the timeline of the project. Mr. Zarzycki stated that construction will begin in June of 2014. It is anticipated that the project will be completed in 15 months time. Permission is being sought to take down the house to the north and the former rectory at this time. This would allow the soil to settle before any work is done in the area.

Clarification was given to a resident about the size of the canopy to be constructed over the driveway.

There being no further questions or concerns, the public meeting adjourned at 8:05 p.m.

REGULAR MEETING

Chairman Dzienny called the meeting to order at 8:05 p.m. in the Council Chambers of Bay Village City Hall. .

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

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Also Present: John Cheatham, SAFEbuilt, Law Director Ebert, Kris McGivney, Father Tim Gareau, St. Raphael's Parish, Bob Zarzycki, Jim Malik, Zarzycki-Malik Architects,

Audience: Bruce Geiselman, Sun Newspaper, Bob Yost, Pat Kenney, Steve Merkel, Jeanette McGovern, Gary Ippolito

Following the roll call, Mr. Dzienny called for approval of the minutes of the meeting held April 3, 2013. **Motion** by Persanyi, second by Bruckman, to approve the minutes of the meeting held April 3, 2013, as prepared and distributed. Motion passed 7-0.

**St. Raphael's Catholic Church
525 Dover Center Road
Phase 2 Church Project- Removal and Replacement of Church with expanded Worship Space and related Community Room**

Messrs. Lee and Majewski excused themselves from this portion of the meeting due to the fact that they are members of St. Raphael's Parish.

Mr. Bob Zarzycki and Mr. Jim Malik of Zarzycki-Malik Architects, Inc. asked if there were any questions from the Planning Commission members regarding their project.

Mr. Dzienny asked that all the buffering on the property be reviewed. Mr. Dzienny would also like a plan submitted for all of the buffering. He noted that irrigation of the plantings is a necessary part of the maintenance of the plantings. Mr. Dzienny noted that this year's growing season can be used to set up the buffering for next year's construction.

Mr. Persanyi asked that the neighbors be approached to determine the problems they are having with inadequate buffering in an attempt to ratify the situation. If there are areas where good vegetation cannot be achieved for buffering, a section of opaque fence should be considered.

Motion by Lesny Fleming, second by Bruckman, to refer the matter of the proposal of Phase II of the St. Raphael's Church Project for new worship space and related community room to the Board of Zoning Appeals for the necessary height variance, and to the Architectural Board of Review for recommendations. **Roll Call Vote – Yeas – Bruckman, Dzienny, Lesny Fleming, Maddux, Persanyi. Nays – None. Motion carried 5-0.**

**Robert Gulla
27115 East Oviatt
Commercial Establishment – Proposed Restaurant**

Mr. Bob Yost, on behalf of Mr. Mike Petrillo, presented plans for a proposed restaurant on East Oviatt, directly across from the Bay Village Post Office. The building is currently occupied by Consign Home Couture. An individual is preparing to purchase the building and remodel the

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building into a diner restaurant for breakfast, lunch and dinner service. The building is approximately 3,000 square feet. The exterior façade will be painted. New windows will be installed, and Eldorado stones will highlight the front of the building. Potted, seasonal plants will be included in the landscaping of the site. An addition for the front of the building was approved by the Planning Commission on October 12, 2011. That addition will not be done. This proposal is to add a new entryway.

Sixty-five patrons can be seated in the proposed building. There are 29 parking spots, including the public parking lot on the corner of East Oviatt and with street parking. The 9 spots behind the building will be changed to directional parking, entering on the west of the building and exiting on the east side of the building. Twenty-five people will be employed by the restaurant, with 7 employees working each shift.

Utility service for the restaurant is sufficient. Mr. Dzienny stated that a current site plan that reflects the building lay-out is required for review. Signage plans will have to be submitted to the Architectural Board of Review. A floor plan, renderings of the building and samples of materials are required by the Planning Commission for review.

Mr. Majewski asked about provisions of off-street loading and unloading of trucks. Mr. Yost stated that trucks would be delivering in the rear of the building. Mr. Majewski noted that the width of the drive on the west side of the building is 12 feet. Mr. Petrillo stated that the width is sufficient for the types of smaller trucks that will deliver to the restaurant. The dimensions from the back of the building to the property line are 40 feet, 3 inches. The angle parking will take up 16.5 feet.

Mr. Majewski noted that an enclosed dumpster must be included on the site. This will be shown on the site plan. A small, grease receptacle will be included in the enclosure. There are no plans for a drive through window.

The hours of operation will be 7 a.m. to 10 a.m. on Fridays and Saturdays, and 7 a.m. to 8 p.m. Monday through Thursday. Sunday hours to be 8 a.m. to 2 p.m.

Mr. Persanyi suggested pursuing an agreement with neighboring property owners for additional parking, if needed.

Mr. Bruckman asked if there are plans for outdoor seating. Mr. Yost stated that there are no plans for outdoor seating at this time. It may be included at a later date, as part of Phase 2.

Mr. Dzienny asked that signage be represented on the elevations to be reviewed by the Planning Commission.

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Mr. Persanyi asked that lighting be included on the site plan. The existing landscaping will remain, with potted plantings to be added. Mr. Bruckman requested that a landscape plan be submitted.

The items required for public hearing will include:

- Site Plan
- Sample Materials
- Signage shown on elevation
- Lighting plans with particular attention to lighting of the rear lot

Mr. Bruckman suggested discussion concerning lighting and a possible aesthetic component that would benefit the businesses in the immediate area. Mr. Majewski cautioned that the Knickerbocker Apartments are in the area and the need to be careful with lighting. Mr. Dzienny stated that he would not want the lighting to bleed on other properties. Mr. Persanyi stated that he would propose letting the lighting flow over to the public parking lot. Mr. Yost stated that if the Commission is thinking of enhancing the whole corner with lighting, the time to do so would be when the changes to the building are being made.

Mr. Majewski noted that one of the issues that came forward the last time this property was reviewed was the code that says there has to be 15 feet from the dedicated street to the front parking spots. There was a question as to whether the measurement was from the right-of-way or the street itself. The question was not settled. Mr. Majewski measured today, and the measurement is 15 feet from the curb line to the first parking spot. If the measurement is to be from dedicated right-of-way, that parking spot may be lost. Mr. Cheatham will review the code.

Mr. Majewski noted that the parking spaces on the city parking lot seem unusually wide. They seem to be approximately 11 feet wide. Mr. Cheatham stated that spaces are typically ten feet wide, but 9 feet prevails in many instances.

Mr. Majewski noted that ADA access and handicap parking also needs to be designated on the site plan.

Mr. Persanyi requested that a bird's eye rendering be submitted for the public hearing.

Mr. Petrillo advised that there is a curb high above grade in the apron of the city lot and motorists are getting stuck on the curb coming into the lot. Mr. Cheatham of SAFEbuilt will take the necessary steps to have the situation corrected.

Motion by Majewski, second by Bruckman to submit the proposal of Robert Gulla for a restaurant at 25115 East Oviatt to public hearing, with the understanding that the appropriate submissions will be filed with the Building Department. **Roll Call Vote: Yeas – Dzienny, Lesny Fleming, Lee, Maddux, Majewski, Persanyi, Bruckman. Nays – None. Motion carried 7-0.**

All abutting property owners and the United States Postal Service will be notified of the public hearing. A legal advertisement will be placed in the local newspaper.

Council Up-Date

Councilman-at-large Steven Lee provided the following report:

City Council approved a balanced budget at the end of March. Included in the budget was funding for the annual overlay road resurfacing work, most of which will occur in Ward 1 this year. In addition, Lake Road will be re-surfaced from the Avon Lake border to Long Beach Parkway. The city will pay 15% of this project, and the State of Ohio will pay 85%. The other major capital project, that is now starting, is the sewer replacement along Cahoon Road from Wolf to the railroad tracks.

Today, May 1, 2013, is the first official day for SAFEBuilt's operation of the city building department. The company is housed in the old police station on the first floor of city hall that has been renovated completely for their use. Open house is scheduled for this coming Monday, May 6th from 5:30 to 7:30 p.m. Residents are invited.

Council authorized the mayor to enter into a contract with Campopiano Roofing for the replacement of the shingled roof portions of City Hall, which will be paid for with insurance proceeds from 2010 Hail Storm and Superstorm Sandy. Also, work will be done to the pillars and outside entrance of city hall.

The City is pursuing reimbursement of some expenses incurred in Superstorm Sandy: Approximately \$77,000 is expected from FEMA and approximately \$130,000 from CEI. Separately, the City is pursuing reimbursement from Republic/BFI for extra costs incurred by the city in trash removal as a result of the work stoppage.

Council is considering amending C.O. Section 721—the solicitors, peddlers, canvassers ordinance in an attempt to resolve the pending litigation brought by Ohio Citizens Action while at same time providing appropriate protections for the residents. Council is also considering a “DO NOT KNOCK” Registry. Several cities have adopted those similar to the “DO NOT CALL” List allowing a person to put their name on a list discouraging calls or visits by

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solicitors. The DO NOT KNOCK List would be accessible for residents to add their name to the list through the city's web site.

The city's annual property/casualty and liability insurance renewal date is June 15, so the administration and council are working through that process. Early indications from the broker are that the city will be faced with sizeable premium increases (25% year over year) as a result of tighter property markets in general, but also the City's claims history with roofs, Service Department salt barn collapse and the fire that occurred at the Service Department site.

The Public Improvements committee met recently and has scheduled a public meeting for May 15 from 6:00 p.m. to 9:00 p.m. to discuss proposals from three engineering firms regarding roadwork and drainage /storm water issues in the Sunset area. Bramhall Engineering (6 -7 PM), CT Consultants (7 – 8 PM), Osborn Engineering 8 – 9 PM)

The Planning and Zoning Committee met last week and discussed preliminarily exploring replacement of the Cahoon Park Information sign, renovations to the Community House and revisions that have been proposed over the years to Section 1158 (attached residences).

Ms. Lesny Fleming asked if there has been any discussion about the large home construction on Lake Road. The size of the home appears disproportionate in size to the other homes in the immediate area. Mr. Lee stated that he has heard no comments regarding the home, other than theft of building materials at the home. Mr. Dzienny noted that the large truck at the site should be covered or removed. John Cheatham took note of Mr. Dzienny's comments.

Mr. Maddux noted that the Architectural Review Board (ARB) does not review plans for residential property projects, which there should be. Ms. Lesny Fleming said that other cities do have that review of residential properties. Mr. Majewski stated that years ago when the ARB was brought forward, Council thought to try it on commercial buildings first to see how it works. When the Board was first initiated it was an advisory board, without any power. All they could do was advise Planning Commission. Since that time the Zoning Code has been updated where they have some power of refusal. They can approve, disapprove, or make changes, and now have control of signage. Mr. Maddux noted that most cities with decent architecture have good control with an Architectural Review Board. It insures a holistic standard. Mr. Bruckman stated that given the national economic recession and the way it has impacted home values, this may be an opportunity to build on that strength. Mr. Dzienny noted that Lake Road homes are unique in that they block the view of the lake. There was an issue as to how much view can be prohibited, and the lakefront homes might warrant more consideration than an average resident. Mr. Majewski noted that previous discussion argued that view cannot be regulated. Mr. Bruckman commented that there are a number of cities and states that look at view or view sheds and do try to protect areas or view sheds, or view corridors, and recognize aesthetic value. There are cities that have taken steps of creating view corridor studies where they identify those vistas or vantage points. Mr. Majewski stated that when the Zoning Code Review was done in 1999, one of the recommendations was that there be a lakefront housing district, with restrictions for fencing, etc. The recommendation did not proceed through City Council.

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There being no further discussion, the meeting adjourned at 9:00 p.m.

Andy Dzienny, Chairman

Joan Kemper, Secretary