

Minutes of a Meeting of  
City of Bay Village Planning Commission  
held January 7, 2015  
7:30 p.m.

Present: Dzienny, Foster, Lesny Fleming, Lieske, Maddux, Remein, Mayor Sutherland

Absent: Mr. Barbour

Also Present: John Cheatham, Chief Building Official, SAFEbuilt, Inc.

Audience: John O'Neill, Bradley Center Limited, Chris Blue, LS Architects, Lydia DeGeorge, Conda Boyd, Dick Majewski, Barb Galbincea, Mary Kilpatrick, Bob Greytak of CT Consultants

Mayor Sutherland called the meeting to order at 7:30 p.m. The following members were present: Jeff Foster, Dave Maddux, Jennifer Lesny Fleming, Councilwoman Karen Lieske, newly appointed members Warren Remein and Andy Dzienny.

**Mayor Sutherland – Explanation of Change in Process**

Mayor Sutherland stated that she would like to take a few minutes to explain to the Planning Commission what is being done to change the process, explain the background of why it is being done, and demonstrate how it is being done. The Mayor added that over the last year or so she began to get feedback from various entities that were presenting it front of all the Boards as to how confusing and lengthy the process was. Based on that feedback from the community, the Mayor convened a group of city officials which included the Chairs of the Planning Commission, the Board of Zoning Appeals, the Architectural Board of Review, Chief Building Official John Cheatham, Law Director Ebert, Joan Kemper, Secretary to the Boards and Commissions, and Ruth Popovich, the Assistant Finance Director. The group worked for two and one-half months, detailing the current process. The technique used was learned this past summer by Mayor Sutherland and Assistant Finance Director Ruth Popovich, through a grant from the State of Ohio for Lean 6 Sigma Training. Those tools were used to pick apart the process that is currently used with the Plans Review Process and identifying where there are unnecessary hand-offs, loop-backs, delays, and too much handling back and forth. The challenge given to the committee was to redesign the process to make it much more efficient.

The Mayor took the group to the conference room where the redesign of the process was defined on the wallboards to illustrate the work that was done. The Mayor's comments were recorded on a portable tape recorder and a copy of the narrative is available through the office of the Secretary of the Planning Commission.

**Election of Chairman and Vice Chairman of Planning Commission**

Mrs. Lieske nominated Mark Barbour to be Chairman of the Planning Commission. Mr. Barbour was unable to be present this evening, but had informed Mrs. Lieske that he would accept the nomination. Mr. Andy Dzienny placed his name in for nomination to the position of Chairman. It was decided that the second highest votes would determine the Vice Chairman.

Ballots were distributed, marked and returned with the following results:

Mark Barbour - 4 Votes for Chairman  
Andy Dzienny - 2 Votes for Chairman  
Jennifer Lesny Fleming - 1 Vote for Chairman

Mr. Barbour was elected Chairman of the Planning Commission; Andy Dzienny Vice Chairman of the Planning Commission.

In the absence of Mr. Barbour, Mr. Dzienny chaired the remainder of the meeting.

It was **Moved** by Foster, second by Maddux to approve the minutes of public hearing held December 3, 2014, and the Planning Commission meeting of December 4, 2014.

**Motion passed 6-0.**

**Bradley Center Limited**  
**Southern Extension of Crestview Drive**  
**And development of 9 lots containing 4.31 acres**

Mr. John O'Neill of Bradley Center Limited and Mr. O'Neill's engineer for the development of the property provided an overview of the plans. The project was presented initially over the summer months, and received preliminary approval on December 3, 2014. They are seeking final approval this evening. The property in question is a 4.3 acre parcel which is at the end of Crestview Drive. The roadway will be extended approximately 250 feet to a cul-de-sac and 9 sublots will be created ranging from 1/3 of an acre to 1/2 of an acre. The roadway will be improved to a 26 feet wide roadway with a 100 ft. anchor cul-de-sac to be able to handle fire safety vehicles and school bus turn-arounds. It will be a publicly dedicated roadway extension,

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complete with all public utilities and sanitary water and sewers. Storm water will drain into the adjacent Bradley Bay facility large detention basin which will service the two properties. Easement and maintenance agreements will be executed. The previous questions from the Fire Department regarding hydrant spacing of no more than 400 feet have been answered by the provision of a hydrant 380 feet from the hydrant at the corner of Provincetown. The cul-de-sac will be 100 feet in diameter and the minimum requirement of the Fire Code is 96 feet. The City's engineering consultant, CT Consultants, has reviewed the project. A sanitary PTI permit has been given by the Ohio Environmental Protection Agency (EPA), a water permit from the EPA has been received, and review and approval of the Cuyahoga County Soil and Water Conservation District has been received for the erosion control and storm water management.

Mr. John Cheatham of SAFEbuilt, Inc., stated that the plans were reviewed on January 6, 2015 by Captain David Stump of the Bay Village Fire Department and the plans have been approved as submitted both for the radius of turning the fire truck and the hydrant location. Copies of EPA permits for the water lines have been received. Copies of the easement for the detention basin are on file with SAFEbuilt, Inc.

Mr. Dzienny questioned the previous need for a hammer head for the Fire Department's access to the neighboring Bradley Bay property. Mr. O'Neill explained that the building on the Bradley Bay Campus has been made smaller and the distance between the end of the fire lane and the existing fire lane meets the requirement, and the hammer head design is no longer needed.

Mr. Dzienny requested that Mr. Cheatham receive a signed document from the Fire Department and Police Department approving the plans. Mr. Scott Thomas, Service Director, has submitted a signed letter approving the plans.

Mr. Dzienny asked if there were any further issues or conditions with the project. There were none expressed. It was **Moved** by Foster, second by Maddux to approve the Bradley Center Limited Southern Extension of Crestview Drive and development of 9 lots containing a total of 4.31 acres.

**Roll Call Vote: Yeas – Foster, Remein, Maddux, Lieske, Lesny Fleming.**  
**Nays – None.**  
**Abstained – Dzienny**

**Motion carried.**

**Council Update**

**Councilwoman Lieske** gave the following Council Update:

- A natural gas aggregation program sponsored by NOPEC is under consideration for submittal to the May, 2015 ballot; all costs for the election will be paid by NOPEC.
- A Finance Committee meeting will be held Monday, January 12, 2015 to review the final reports of 2014. The City's financial position is more favorable than previously anticipated.
- A Planning, Zoning, Public Buildings and Grounds Committee will meet on January 12, 2015 at 6:15 p.m. to discuss changes to the City's Building Code. Mr. Cheatham explained that the refundable deposit for a new home is proposed to be increased to \$1000 from \$800. The HVAC and Plumbing Permits will be separated into two categories.

Mr. Cheatham advised that the previous approval of Bay Diner to relocate to an East Oviatt address will be changed to a location at the Bay Commons Shopping Center. Mr. Mike Petrello will submit a new application in the very near future.

Mr. Dzienny asked consideration of an opportunity in six months to a year to review the changes that have been instituted to the review/approval process of the Planning Commission to obtain feedback from the applicants and the community.

Mrs. Lieske asked that the Planning Commission attend a Council meeting in the future to express their opinions after viewing the process design this evening. Mr. Dzienny noted that he is anticipating the new process because of the necessity to make applicants return to the Planning Commission in so many instances in the past.

Mr. Remein asked that the before-process and the new-process be provided in a flow-chart document to the Planning Commission. Mr. Cheatham will provide the charts.

Conda Boyd asked the Planning Commission's plans to review Chapter 1158. Mr. Cheatham stated that the proposed revisions are in the hands of a third party review. LSL Planning is in the process of rewriting the chapter for the Planning Commission and Council's review.

Mrs. Lieske stated that the report will be reviewed through the Council Planning, Zoning, Public Buildings and Grounds Committee, which Mrs. Lieske chairs. The members of the Planning Commission will be invited to attend that committee meeting. After that review, Chapter 1158 will be sent on to the Committee of the Whole of Council.

Ms. Boyd stated that there is rumor that there are condominiums being considered for the former Shell Gasoline Station property on Wolf Road. She asked if the current Chapter 1158 would apply to that development. Mr. Dzienny stated that the property on the east side of the creek has been approved for residential attached housing with a lowering of the acreage requirements.

Ms. Boyd stated that as a citizen she would like to see Chapter 1158 moved forward before a project comes through.

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A moratorium on development under Chapter 1158 is in place until February. It is unsure whether the property and the rumored development mentioned by Ms. Boyd would fall under that moratorium.

Ms. Boyd asked if there has been word received yet about the grant application for the development of a new Master Plan for the City. What role will the Planning Commission play in the development of a new Master Plan?

Mrs. Lieske stated that Council has not yet been informed if the grant has been awarded to the City. She will check further.

Mr. Dzienny stated that the Planning Commission will be more than happy to participate in the development of the Master Plan. He has spoken with Mayor Sutherland about the Planning Commission being involved with any decisions about rezoning, and being informed prior to submission.

Lydia DeGeorge, West Oakland, asked what the third party reviewing Chapter 1158 is doing that the Planning Commission couldn't do, and what is the cost of that review.

Mr. Cheatham stated that the cost is approximately \$1,500. The company that is doing it is a SAFEbuilt, Inc. subsidiary who granted a special price because SAFEbuilt, Inc. is the City's Building Department. The company is looking at the entire chapter, making everything cohesive, and addressing some of the matters that Mr. Cheatham did not address in his recommendations for the chapter.

Mrs. Lieske stated that the reviewing company was going to put the recommendations more in terms of language that would actually be reviewed for adoption.

Mr. Dzienny suggested moving the reframing of Chapter 1158 forward. Mrs. Lieske will schedule a Planning, Zoning, Public Buildings and Grounds Committee as soon as possible after receiving the report.

Mr. Cheatham noted that he has received strong inquiries from interested parties for the Lustr property on Cahoon Road. This would involve a duplex for Sublot 5, and for Sublots 1 and 2, consolidation for a single family home.

Meeting adjourned at 8:33 p.m.

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Andy Dzienny, Vice Chairman

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Joan Kemper, Secretary