

Minutes of a Public Hearing and Meeting of  
City of Bay Village Planning Commission  
held September 7, 2016  
7:30 p.m.

Present: Chairman Mark Barbour, Andy Dzienny, Jeff Foster, Jennifer Lesny Fleming, Karen Lieske, Dave Maddux, Warren Remein

Also Present: Law Director Ebert, Lenny Strnad, Vivid Jewelers; Krista Strnad, Vivid Jewelers, Jeff Grassi, SAFEbuilt, Inc., Paul Demyan for Marco's Pizza.

Audience: Bob Orlando, Regis Lee, Mr. & Mrs. James Dolphi

Chairman Barbour called the meeting to order at 7:30 p.m. The following members were present: Barbour, Dzienny, Foster, Lesny Fleming, Lieske, Maddux, Remein.

Mr. Barbour called for approval of the minutes of the Planning Commission meeting held August 17, 2016. **Motion** by Foster, second by Fleming, to approve the minutes of the Planning Commission meeting held August 17, 2016 as prepared and distributed. Motion passed 7-0.

**Jeffrey Strnad**  
**Leonard J. Strnad**  
**27205 Wolf Road**  
**Bay Village, OH 44140**

**Project:**  
**Remodel and addition of 628 square feet to existing building (Service Station)**  
**Current use of Service Station to be converted to retail use, consistent with current**  
**Retail Business District Zoning**

Mr. Barbour noted that the project has been reviewed and approved by the Architectural Board of Review.

Mr. James Dolphi, Bay Village Printing asked Mr. Strnad about the height of the gate facing Wolf Road. Mr. Strnad said the plan is to have the gate at about six feet in height. Mr. Dolphi asked if it could be four feet in height. Mr. Dolphi explained that a six foot fence would block the view from the window of his building. Mr. Strand stated that the gate will be behind the window, and will be set back far enough so as to not hinder the view from the window. Mr. Barbour stated that the plans presented to the Planning Commission indicate that the gate is probably 10 to 12 feet back from the sidewalk. Mr. Dolphi was satisfied with this explanation. Mr. Barbour noted that the gate was approved by the Architectural Board of Review. The gate will be locked and a

Minutes of Planning Commission Meeting  
September 7, 2016

key provided for the safety forces. Mr. Remein noted that he would prefer to see a lower gate for visibility for the police when they patrol.

Mr. Dolfi stated that he has not seen the latest plans on the parking areas. Mr. Strnad said that the plans are filed with the Planning Commission, and they have not changed. The plan was shown to Mr. Dolfi.

Mr. Foster noted that at the last meeting of the Planning Commission Mr. Dolfi and Mr. Strnad indicated that they would try to work out an agreement for parking. Mr. Strnad said they are asking for approval of their plans based on the eight parking spaces they have now so that it doesn't hinder their progress going forward. There are no plans now on using any of the print shop parking. When the print shop sells, or decides to develop they would be happy to propose an agreement. Mr. Strnad stated that they would like to see a beautiful parking lot back there, and would like to see the trash area and the back of the buildings that are in shambles all addressed.

Mr. Barbour stated that the parking submitted shows eight spaces. The code, in accordance with the square footage of the proposed building, requires ten parking spaces. A variance of two parking spots is required. Mr. Barbour noted that Mr. Strnad has indicated that the nature of his business is low volume/high yield number, with a certain seasonal aspect. Mr. Barbour noted that the proposed business is different than other retail establishments in the shopping center. The Mayor has granted permission to use the City Hall parking lot for employee parking. Mr. Barbour confirmed with Mr. Strnad that eight parking spaces would be more than adequate for the Vivid Jewelry typical day.

Mr. Dzienny stated that there are three parking spaces that are very short. There is a curb cut of 25 feet going back to the print shop area. He asked if there is a possibility of taking those three spaces along the west base and do slant parking there. Mr. Strnad stated that they found that when doing the slant parking it happens to be a longer spot. In the first presentation to the Planning Commission they had multiple parking spots in front of the building, and by request they moved the building forward putting in a court yard area in front. That did eliminate some of the parking. However, they think the current parking will work out well for their business.

Mr. Dolfi asked that when construction of the building begins there be no heavy equipment on his property. Mr. Strnad said that there will not be any equipment on Mr. Dolphi's property, and he would ask the same if work is done on the Dolfi property. Mr. Strnad expressed a willingness to cooperate and work with Mr. Dolfi in the future in whatever projects are undertaken on the Dolfi property.

Law Director Ebert noted that at this point the City Council has not entertained a motion to approve the employee parking at Bay Village City Hall. Mr. Ebert noted that many people use the parking lot at City Hall, including bank employees and users of the tennis court.

Mr. Maddux asked if the Planning Commission should consider approving a plan that has one less parking space with the remaining spaces as spaces that work, rather than three fifteen foot

Minutes of Planning Commission Meeting  
September 7, 2016

spaces and a handicap spot this would pose difficulty getting in and out. Mr. Maddux noted that there is a high percentage of compact car parking spaces in the plan.

Mr. Rick Camper stated that essentially the Planning Commission is throwing out the parking issue. If you are in an area where there is an adjacent parking lot, is it not really an issue anymore, because now we are assuming people can share parking?

Mr. Barbour stated that this is not the case. The Planning Commission is not making that assumption, because those areas are private property. What the Planning Commission is trying to do is determine a way that Vivid Jewelers can park their employees at City Hall and to free up two to three spaces. They will then have enough spaces for their customers for a typically low volume business. If the project is to be approved, there has to be some adjustment of the parking requirements.

Mr. Barbour stated that based on the nature of the business, he would not have a problem with granting that consideration. Mr. Barbour noted that the owner has given up their parking in front, at the request of the Planning Commission and the Architectural Board of Review, to make the area much more aesthetically pleasing and in the interest of safety as well. Mr. Remein noted that this also an extremely unique property.

Mr. Dzienny noted that relief has been granted in certain businesses in Bay Village and it has worked well for them. He noted that the Planning Commission starts out with a bench mark and works from there. Vivid Jewelry has a low volume business. We are looking at possibly bettering his parking by eliminating one spot. If we give him more space for normal size cars it will be better for surrounding businesses because they won't be parking on their property.

Mr. Barbour noted that each parking situation is different. Mr. Foster commented that as a City it is good that we start to look at a comprehensive view of parking instead of site by site.

Mr. Barbour noted that one of the goals is to eliminate parking on the main street, such as is the case with Malley's Ice Cream Store. When the Panorama Restaurant was redone, the spaces in front of the building were removed because they were hazardous.

Mr. Maddux and Mr. Dzienny reviewed the corrections Mr. Dzienny proposed to the parking plan. Mr. Maddux noted that it is a tight situation. Mr. Dzienny noted that it is the exact same situation as Dr. Kelly's Eye Clinic where the two establishments share each other's spaces.

Mr. Foster commented that the record should show that we are providing parking in accordance with the requirement of the code.

**Motion by Dzienny**, second by Foster, to approve the application of Vivid Jewelry and Design, applicants Jeffrey and Leonard J. Strnad, to remodel and add 628 square feet to existing Service Station Building at 27205 Wolf Road, in accordance with the recommendations of the Architectural Board of Review and per the plans submitted with the stipulation that the Strnad's work with the adjoining property owner on the height of the fence on the western border of the property. Mr. Maddux recused himself from voting on this matter.

Minutes of Planning Commission Meeting  
September 7, 2016

Vote resulted: Yeas – Barbour, Dzienny, Foster, Lesny Fleming, Lieske, Remein  
Nays – None.

Motion passed 6-0.

**Applicants:**

**Paul and Kelly Demyan  
38975 Arbor Court  
Grafton, OH 44044**

**Project:**

**Marco's Pizza  
25523 Eaton Way  
Bay Village, Ohio 44140  
Request to Install a Pick-up Window**

Mr. Paul Demyan stated that he purchased this district through Marco's Corporation as a franchise. They were requiring twelve parking spots. There are thirty spots in the parking lot, but the owner of the Greenisland restaurant has twenty spots in accordance with his seating capacity. Marco's Pizza related that if a pick-up window were installed they would approve the site with ten spots. Mr. Demyan stated that it is a new business, with brand-new equipment. Mr. Demyan believes that the pick-up window would be a good service to those residents coming home from work to drive through and pick up their orders. He expects that the window would serve at least thirty percent of their customers.

Mr. Barbour advised Mr. Demyan that to seek approval from the Planning Commission a complete set of plans will need to be submitted. There is a procedure for a pre-submission meeting and this presentation this evening would qualify as that pre-submission meeting to talk about the issue of the window. More detailed plans in accordance with the code will need to be submitted to obtain approval for the project.

Mr. Barbour asked the expected volume of traffic to be served through the pick-up window. Mr. Demyan stated that he would estimate over 100 cars over the ten hour shift on Fridays and Saturdays. The store will be open from 11 a.m. to Midnight on Friday and Saturday nights, and 11 a.m. to 10 p.m. through the week. The store will be open seven days per week. The entire remainder of the building, approximately 2000 square feet, will be used for the franchise. There will be no in-dining; pick-up and delivery of food only.

Hugh O'Donnell, Bayfair Court, asked if the traditional amount of parking per code is required since there is no indoor seating. Mr. Barbour stated that this would be a discussion point when the project is submitted to the Planning Commission. Mr. Barbour noted that there are three designated parking spots in the back of the building on the south side, and two spots on the east side of the building.

Minutes of Planning Commission Meeting  
September 7, 2016

Mrs. Lieske stated that she has driven back that way twice and depending on what vehicles are parked in those spaces the drive through for the window would be very tight.

Law Director Ebert stated that he spoke with the Police Chief today about the proposal. The chief has concerns with the back of the property, stating that the area is really tight with the parking and the existence of the dumper. He does have a concern with a drive-through on the west side of the building. Mr. Foster asked if the situation could be helped by adding additional paved area. Mr. Ebert stated that it is possible and he asked for a drawing to show how that would be constructed.

Mr. Barbour advised Mr. Demyan to refer to the ordinance that governs the approval process (Chapter 1129 of the Codified Ordinances of the City of Bay Village) and the steps to be taken and documents to be submitted.

Mr. Dzienny expressed concern about the impact of a drive through to the neighbor to the west of the building.

Mrs. Lieske noted that lighting is a consideration as well, citing a problem experienced by the neighbors to the Westerly School who suffered from the new lighting shining into their homes. Mr. Foster noted that with any project the lighting has to stay on the property.

Mr. Dzienny reiterated the advice of Mr. Barbour to Mr. Demyan regarding the formal submission to the Planning Commission.

Mr. Barbour stated that tonight's hearing will be considered a pre-submission in accordance with Chapter 1129.01. The 60-day time for review by the Planning Commission will not begin until a formal application and plans are submitted.

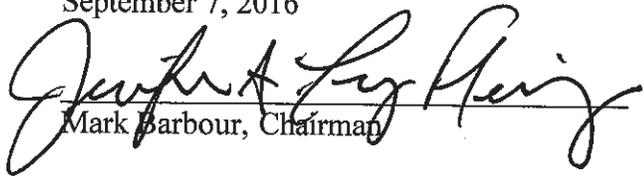
### **Council Update**

**Mrs. Lieske** stated that a number of residents came to a Council meeting last evening, September 6, 2016 regarding a new ordinance that is being developed for animal control. A public meeting was held on Monday, August 29 with approximately 100 residents attending. A number of residents and concerned citizens of other areas have put together a number of suggestions and ideas. These will be considered as part of the discussion on Monday, September 12, 2016 as part of the Environment, Safety and Community Services Committee meeting at 6 p.m. in the Council Chambers. Councilman Henderson has prepared a Green Paper listing 18 different ideas that have come forth.

Congratulations to Law Director Ebert who has been appointed interim Mayor of the City of Bay Village effective September 30, 2016.

There being no further business to discuss, the meeting adjourned at 8:30 p.m.

Minutes of Planning Commission Meeting  
September 7, 2016

  
Mark Barbour, Chairman

  
Joan Kemper, Secretary