

City of Bay Village Planning Commission Minutes
Held January 4, 2023
7:30 p.m.

Present: Rick Kirk, Kendra Davitt, Dave Maddux, Jeff Foster, Pete Winzig

Also Present: Lauren Oley (Board Secretary), Eric Tuck-Macalla (Building Director)

Excused: Jennifer Lesny-Fleming

Audience: Kris & Reed McGivney, Cathy Mauk, Thomas Sheets, Rick Jozity, Karen Campbell, Tom Putnam

**Full recording of the meeting is permanently available on the City of Bay Village website under Government/Planning Commission/View Most Recent Agendas and Minutes/Media*

Mr. Maddux called the meeting of the Planning Commission Public Hearing to order at 7:41 p.m. with a roll call. Jeff Foster arrived after the meeting had started and minutes were approved.

Mr. Maddux called for approval of the minutes of the Planning Commission meeting held September 7, 2022

Motion by Mr.Kirk, **Second** by Mr.Foster, to approve.

Motion carried 4 yeas, 0 nays

Excused: Foster, Lesny-Flemming

- 1) St Raphael Catholic Church
525 Dover Center Rd.
 - Review of proposed exterior campus improvements. Including: new playground, new pavilion, new storage building, and new walking path with prayer gardens

Mr. Rick Jozity presented the plans and advised that St. Raphael's wanted to enlarge the playground and use more of the green space. In order to enlarge the playground, they'd need to demolish the storage building, but since they still need one, they'd relocate it further east. They also plan to add a pavilion for church functions, parish picnics, etc. They are also proposing outdoor prayer gardens and outdoor learning areas. There will be a wandering path from the pavilion along the southern border to the prayer gardens on the east side. All this work is within the requirements for parking, open space, and allowable building area.

Mr. Maddux inquired how large both the existing and proposed storage building are.

Mr. Jozity replied that the existing storage building is 1900 sq. ft. and they're proposing 3000 sq. ft. The playground was around 5000 sq. ft. and they're adding 3000 sq. ft to that. The existing playground has a swing

set and play structure this new playground will be more towards adventurous learning and educational play. New equipment will be added. There will be a green space with synthetic turf for kids to play on which can also double as overflow for the pavilion in the case that it's needed for an outdoor mass. On the existing south side there is no curb along the parking area and everything should flow, as far as storm, and they plan to maintain that. They are working on the grade for the prayer gardens to maintain the flow. There is an existing storm drain under the playground.

Mr. Maddux requested that Mr. Jozity explain the purpose for the proposed pavilion space.

Mr. Jozity replied that they can use that for outdoor mass, parish picnics, small gatherings, outdoor learning for the students. He confirmed that there is not a space for that currently.

Ms. Davitt inquired if they will be removing parking spaces?

Mr. Jozity stated that they are currently in excess of the required parking and they will be removing two spaces, but that leaves them within the required amount of parking.

Ms. Davitt inquired if the parking lot often fills up/requires more parking currently?

Ms. McGivney replied that it fills up two days a year Christmas and Easter.

Mr. Maddux inquired if there will be a sound system in the pavilion.

Mr. Jozity replied that there will be no sound system, but there will be ceiling fans and they're going back and forth about heaters.

Mr. Kirk pointed out that it appears that dumpsters are being relocated?

Mr. Jozity replied in the affirmative.

Mr. Kirk inquired if those were covered, within code, etc. As they get closer to homes and further from the church there could be concerns.

Mr. Jozity pointed out that right now the dumpsters are not covered. They've got a 6' high masonry enclosure with wood gates in front. They're going to maintain that, but put it in a different location.

Mr. Maddux stated that he can see it's moving further east, but will it be closer to the south property line.

Mr. Jozity stated that it is moving a little closer to the south property line. They'll line up with the proposed storage building.

Mr. Winzig inquired if there will be a fence around the parameter?

Mr. Jozity advised that right now there are panels of white vinyl fence that are in disrepair. They are going to remove those and propose a continuous fence. Currently they have a fence that separates the playground from the neighbors to the west and they're going to continue that fence all the way to the south property line. It's a chain link fence with solid slats. It will be the same height as the existing, but he doesn't know the height offhand.

Mr. Winzig inquired if they anticipate any water run off issues on the east end where they're adding hardscape to a currently green area nothing that on the plans the drainage goes to the 30" main.

Mr. Jozity replied that he doesn't anticipate issues, but they have their civil engineers working on that. They have not notified him that there will be any retention.

Mr. Maddux inquired if there is a berm back there that isn't there now?

Mr. Jozity replied that right now it slopes back to the swale. It's a very gentle slope and they're not introducing any changes.

[Mr. Foster arrived to meeting]

Mr. Jozity stated that right now on the east side there is a gaga pit, a small octagonal structure, that will stay in the same location that it is now.

The board, applicant, and audience discussed the popularity of the gaga ball pit noting that it's often used outside school hours.

Mr. Kirk stated that he noticed that the existing panels aren't very protective and if they're going to increase the activities on the east and south end, they should try to accommodate and be thoughtful to those neighbors.

Mr. Jozity replied that right now there is hardly any trees and they plan to add trees as a buffer. The east end is going to be for quiet reflection, with the exception of the gaga pit, it won't be anything more than prayer and reflection.

Mr. Maddux pointed out that the south end will have more activity. A larger playground, outdoor meeting space, etc.

Mr. Winzig stated that it appears there is going to be removal of about 25 trees and 15 shrubs.

Mr. Jozity stated that they are going to try to keep as many trees as possible.

Mr. Winzig pointed out that the new tree ordinances states that if the development is more than an acre it has additional requirements for tree replacements. They'd either need to replace the trees or donate funds for the city to replace them. This land is just under an acre .995 of an acre – so it may be worth confirming the management the exact size of property since stormwater management and tree requirements kick in at an acre.

The board and applicant discussed the measurements as it relates to the tree ordinances.

Mr. Jozity stated that the trees that will be removed are listed on the plans.

Mr. Foster noted that the trees that will be removed will be on the south side of the property with nothing to the east being removed. Is there a stormwater management plan for the area as it exists today?

Mr. Jozity stated that the stormwater plan is all underground currently. On the east portion there is no curb along that end and they're going to maintain that. They're working with an engineer on the prayer gardens to maintain that swale.

Mr. Kirk remarked that it possible the swale will need to be increased because there will be less retention as a result of the additional hardscape.

The board and applicant discussed the stormwater management plan and if/how it may impact adjacent neighboring properties.

Mr. Putnam stated that there are currently two drains in the road in the back that function all the time. The water runs down that hill into the drains.

Mr. Foster stated that it seems odd to him to have sheet flow run through a developed structure vs. having a drain tile along the edge of the parking lot to catch the water.

Mr. Putnam pointed out that all the snow in the parking lot gets pushed to that area. The architects have done a good job leaving that open, but last year we had 12' piles. It all melts and it's all going to run down the lawn.

They proceeded to discuss the snow management plan.

Mr. Winzig confirmed that the drainage from the pavilion will tie into the main drain in the corner of the parking lot.

Mr. Putnam stated that the drawing package is very good. He did not see any artificial lighting in the meditative garden. Is it safe to assume the hours of operation are sunrise to sunset?

Mr. Jozity confirmed.

Mr. Putnam inquired if there was going to be any trash bins to collect refuse?

Mr. Jozity replied that he's not sure what sort of trash would be there. It won't be used for eating lunch...

Mr. Putnam pointed out that there are 595 kids and 100 staff. He complimented the school that they get the kids outside – it's used a lot. He inquired about a specific distance near the dumpster enclosure.

Mr. Jozity and Mr. Putnam proceeded to discuss his concerns regarding the plans including a definition of a 'tree protective fence'.

Ms. Cathy Mauk, 27000 E. Oviatt, inquired if there was going to be any additional lighting by the playground or pavilion?

Mr. Jozity replied that there is no lighting in the playground, but there will be lighting on the new storage building on the front and minimal security lighting behind the building and property line. It will not shine onto any property. The building is approximately 10' from the fence and there will be a path going through there.

Ms. Mauk pointed out that the current building is behind Mr. Thomas Sheets home and kids often hang out there. It's sort of a hiding zone on the playground. She suggests they keep that in mind because it could be a security issue.

Mr. Jozity replied that they have thought about that and they have gates at the west and east end so that kids can't get in there during recess. He added that the pavilion will not be locked down afterhours.

Mr. Jozity and Ms. Mauk proceeded to discuss the fencing along the property line as it relates to the storage shed.

Mr. Foster confirmed no lighting or sound in pavilion. He pointed out that the Architectural Board of Review will need to review the plans.

Mr. Putnam advised that he feels the current lighting in the parking lot is magnificent, he's not sure how his neighbors feel, it's daylight out there. In the summertime kids are in there at 11 pm skateboarding and doing what kids do – it's a benefit. What is going to happen is that on the east end of the parking lot there is a light that is going to be removed and this provides all the light to the back perimeter.

Mr. Jozity stated that they're going to replace that light. It's not shown on this plan, but they've already discussed that.

Mr. Putnam continued to say that he likes it how it is, but moving that service building into his line of sight is going to be an issue. He's going to be coming up with a scheme to try to block it. He is aware his line of sight ends at his property line, but it's going to cost him money to block it. For the amount of taxes, he pays he doesn't want to look at it. All the commotion, construction, etc. it's all okay, but looking at that service garage isn't okay – it's over the top. He'll deal with it, but that's how he feels.

Ms. Karen Campbell, 550 Douglas, stated that her concerns are the trees on the southeastern corner. It shows that some of them will be removed. She's very partial to all those trees. Last time the church was doing work back there it was agreed that they would keep those trees.

Mr. Jozity advised that B1 is a more accurate representation of the trees that are being removed. Anything that is not shown on here then the tree will remain. He advised no trees will be removed from that area.

Ms. Campbell continued to say that when the parking lot was put in years ago, they added arborvitae. At that time there were 3 put in her back corner, to keep the lights from coming into her home, and it's kind of behind the

broken-down fence. Those died. She's asked the property manager to replace that has not happened – this was a long time ago. She'd have no problem, if there were mature trees as is along the eastern property line. She'd like to see those be replaced and that they have the proper watering. She inquired if the basketball courts will be removed by the prayer gardens?

Mr. Jozity replied that those are staying. The ones on the service building are replacements for the ones that will be removed from the playground area. The ones on the east side are staying.

Ms. Campbell inquired if they could post the hours of operation by the basketball hoops. There are people over there at all hours of the night using them.

Mr. Jozity stated that they can, but it will be hard to enforce.

Ms. Campbell agreed, but at least if it's posted. The trash gets picked up anytime after 6 am and there are noises, not only of the bins, but also the truck backing up noise. This is how many of us wake up whether they have to be up at 6 am or not. She was wondering if it would be possible to relocate the dumpsters to the south of the school where there is a plastic shed that is right behind the school to the south and there is room there for the dumpsters. There is more room by where the Parish office is located that abuts to the post office. There are no residential homes that would be disturbed regardless of pick-up time nor would it be unsightly. She added that her backyard has flooded since the parking lot has gone in so she wants to ensure that remains the same.

Mr. Jozity stated that he doesn't believe that could be considered because the Parrish office is a separate parcel. He believes they need a dumpster per parcel.

They proceeded to discuss alternative locations for the dumpsters while reviewing the plans.

Ms. Campbell requested that the truck traffic for construction use Dover Center, when possible, as opposed to Douglas as they did last time road work was done.

Mr. Jozity stated that would be coordinated at a later date due to the drop off and pick up.

Mr. Foster stated that his trash gets picked up at 6:15 at Kenmore. He wishes it came later, but it doesn't. Looking at where they're proposed – they're tucked up against the building. It's a good move – it's a little further from the building, but it does appear closer to some homes.

Mr. Tuck-Macalla commented that the Building Department isn't going to support the trash being in the parking lot where it is. Where it is now, he gets complaints all the time about the time that it's being picked up. The service department is trying to negotiate with Republic to get them to come later. Even if that happens two or three years from now, they'll go back to doing it at 6 am. The truck that comes to residential homes is very different than the commercial trucks that pick the whole dumpster. Police Chief Gillespie gets calls for disturbing the peace because it's so early. He feels it would be worth it to look at an alternate location.

Mr. Foster stated that regardless of where it is on the property the noise is going to happen?

Mr. Tuck-Macalla agreed adding that it's not right by the residential. When you're up by the church offices and you're by the post office that's abutting commercial property. This is abutting residential property and it's a real problem along with the lights.

Mr. Foster commented that he thought there was an ordinance that says that contractors can't start before 8 am?

Mr. Tuck-Macalla confirmed stating that is part of the issue. He has to tell the residents that they don't have a code that can help that. Right now, we've got a chance to do something about this.

Mr. Jozity advised that they've not considered alternative locations for the trash since this is the first, he's heard of it.

Mr. Foster suggested that they consider alternative options. He went further to say that if we don't have an ordinance that says these things can't happen at 6 am then they should put something in the ordinance.

Mr. Tuck-Macalla replied that then it's disturbing the peace and the police need to be called and the drivers need to be ticketed.

Ms. Campbell confirmed that's what they're told to do. There is one neighbor in particular that is told to call the police, but that is an awkward thing.

Mr. Tuck-Macalla stated that he's already talked to Republic, but they do not want to change the route time. They've changed it a few times, because he's complained enough, but eventually it slips back to the earlier time because they have drivers that want to get it when they can.

Mr. Putnam commented that the opposite is true when the truck appears during the school day. Right now, St. Raphael's cordons off a play area with orange cones and the truck comes in and he has to wait. When they come at an off hour, like 11 am, then they've got an issue getting in there. They may need to wait 10 minutes for the children to clear or the chaperones to clear a path. He doesn't know how often that occurs, but it does occur.

Mr. Tuck-Macalla stated that they will need detailed landscape plans with species of trees, the current inventory and what they propose so he can get that to the tree commission, structural drawings for the storage facility and the pavilion, colors and materials for the storage building when it goes to ABR, and a Stormwater protection plan. Since they're not adding any lights, they don't need a lighting plan.

Mr. Foster confirmed that the submission gets submitted to the city engineer, fire, and police and they get a report back from them. That is one of the reasons there is two stops for this approval. A few things to summarize: trash location is a big one – he encourages them to find out what the issues are and what potential solutions there are, storm water drainage on the east side which is something they need some closure on, tree vegetation and other documents that Mr. Tuck-Macalla referred to.

Ms. Davitt stated that the proper process is to hold a public hearing, then it will go to ABR, then it comes back to PC for approval. At the public hearing is when the city departments/tree commission present their reports. They'll need to refer it to a public hearing tonight and send it to city department tonight. They can refer it to ABR tonight, but they can't vote on it until after the Public Hearing.

The board and applicant discussed the timeline of the meetings and referrals.

Motion by Mr. Foster, second by Ms. Davitt, to refer the proposed St. Raphael changes to a public hearing for applicant's date of February 1, 2023.

Motion Approved 5-0

Councilman Winzig advised that he has a number of things to share and provided the following council update:

- *Cahoon Park Multiuse Facility*
- *Lake Rd Resurfacing – RR border to Columbia Rd*
- *Dwyer Masonry repair project*
- *Sidewalk repair program between Bassett and Cahoon Roads*
- *Phase 1 of 3 Fire Hydrant refinishing*
- *Resurfacing of Police Department Parking lots – (improved drainage)*
- *Resurfacing of Service Department Parking lot – (weathered)*
- *Installation of 100 trees through ODNR grant – (parks and streets)*

- *Replacement/upgrade of school zone flashers for Westerly, Middle School, St Raphael and High School (Wolf Rd side)*
- *Installation of Phase IV of Bradley Park Playground*
- *Street Parking - Library*
- *Reclimite Road Protection & Crack Seal Repairs*
- *Tree Planting Review & Plan*

Projects in progress to finish in 2023:

- *Wolf Rd Improvements (final striping of Wolf and Clague, punch list items to complete) – Clague to Fire Station/Sutcliff*
- *Ashton Lane Bridge Replacement (completion of concrete sealing and punch list items to complete)*
- *Interurban Pedestrian Bridge (installation of bridge, approaches and punch list to complete)*
- *Installation of 60 trees (120 total) in Bradley Park through Cuyahoga County grant*
- *Completion of Cahoon Creek Trail (from PED bridge to library)*

Projects on the horizon for 2023:

- *Pavement Maintenance Program*
- *Safe Routes to School Improvements*
- *Wolf-Cahoon Intersection Improvements*
- *Westerly Pedestrian Bridge improvements*
- *Phase 2 of Hydrant painting*
- *Huntington Underground Electrical Project*
- *Huntington Lift Station Improvements*
- *USEPA SSO Engineering*
- *Village Green Construction*
- *Cahoon & Walker Fields Fertilizer/Grass/Leveling*
- *Play-in-Bay Parking Lot Improvements*
- *Dover and Oviatt Parking Lot Improvements*
- *Cahoon Park Western Trail Connector*
- *Cahoon Park Eastern Trail Connector*
- *Community House Chimney/Roof Project*
- *Bay Village Cahoon Park Sign*
- *Police Department ERU Replacement*
- *City Hall Access Controls Project*
- *City Hall Fire Alarm Improvements*
- *Sidewalk Repair Program*
- *Installation of 100 trees through ODNR*
- *Sewer Inspections and Breaks/Repairs*

Ms. Davitt inquired if the safer way to school grant could be used to provide pay raises to the crossing guards?

Mr. Winzig replied that in the current budget there were pay raises for the crossing guards.

Ms. Davitt inquired if the repair to the Westerly bridge will require it to be closed?

Mr. Winzig replied that he is unsure, but he can check with Jon, but he believes part of the repairs have to do with the fence and the surface of the bridge.

Ms. Davitt asked about the resolution of the 911 dispatch conversation.

Mr. Winzig replied that was postponed. Council met with the current dispatch provider, at St. Johns, and they got information from the proposed provided, on the East Side, but nothing has moved forward. The current dispatch team installed a complete computer system. He knows they also hired a dispatcher to keep that position active for the city, but nothing has happened. Council really raised a question of ‘why are we changing?’, what are the pros/cons, and what does this cost and they’re still waiting to hear back.

Local:

Final Phase Bay Creek Condos

Heinen’s Parking Lot

The board discussed that fact that that cart receptacles were not mentioned on the plans nor were they a part of parking lot discussions that this board held.

Mr. Foster inquired if those should have required ABR approval and a building permit?

Mr. Tuck-Macalla replied that they wouldn’t. They came along at the same time as the parking lot, but they weren’t a part of the consolidation with the lot next door.

The board reiterated that they weren’t listed on the plans that were shown to this board.

Mr. Winzig stated that he feels they have an opportunity here to ensure that doesn’t happen again with St. Raphael’s.

Green Island Restaurant – new owners

Reopening of Martin’s Deli – Bay Provisions

New Smoothie Shop Bay Plaza & Exercise Spot Dover Commons

Closing of PNC Bank – up for lease

Opening up of New Private School at old Bay Library site

Pending Projects/Grants in Progress:

- Cahoon Lakefront Development – Bay Point*
- Columbia Beach Park Redo*
- Cahoon Parking Area & Fields Entrance*
- Cahoon Park Walking Trail*
- Dog Kennel/Building – Nancy Brown*
- Rocky River Treatment Plant Upgrades*
- Walker Park Basin – Final Punchlist Items*
- Rec Department Move from Community House*
- Rehab/Rebuild of Fire Station – Arch review and plans*

There being no further business to discuss the meeting adjourned at 9:05 p.m.



Jeff Foster, Chairman



Lauren Oley, Secretary