

Minutes of the
City of Bay Village Planning Commission
Held March 17, 2021
7:30 p.m.

Present: Jeff Foster, Warren Remein, Rick Kirk, Sara Byrnes Maier, Kendra Davitt, Jennifer Lesny Fleming and Dave Maddux

Also Present: Eric Tuck-Macalla (Building Director), Mark Barbour (Law Director), Lauren Oley (Assistant to Building Director), Lydia DeGeorge (Councilwoman)

Audience: Robert Petkash, Conni, Ken Lochner (AVG)

**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*

Chairman Foster called the meeting of the Planning Commission to order at 7:30 p.m.

Following roll call Mr. Foster called for approval of the minutes of the Planning Commission meeting held January 20, 2021.

Motion by Ms. Byrnes Maier, **Second** by Mr. Kirk, to approve the minutes of the Planning Commission meeting held January 20, 2021 with suggested modifications.

Motion carried 7 yeas, 0 nays

Property Address: 560 Forestview Road Parcel#20405007

Owner: Red Oak Investment Partners, LLC

Engineer: Polaris Engineering

Red Oak Lane Subdivision- Approval to split the lot 204-05-007 into four separate sections.

Chapter 1111- (Subdivision Design Standards)-(b) Location. All lots shall front and abut at the right-of-way lines by their full continuous frontage on a publically dedicated street or a street that has received the legal status as such.

Mr. Foster introduced the first item on the agenda and inquired what the planning commission is reviewing.

Mr. Barbour advised that the ordinance states that the planning commission needs to look at the final tracings which have been submitted. They are in addition to the plat that was already approved. The Engineer, Don Bierut, and the director of public service, Jon Liskovec, both approved. That is their final touch as a planning commission and then they vote to authorize the secretary of the commission under 4a that it received final approval. He went on to explain that the way it's submitted, the final tracings aren't presented to planning commission until you've voted on the final approval and then they did the tracings. It's an extra step. It actually doesn't really make sense and doesn't flow very well, but it's the requirement.

Mr. Foster inquired if there were any changes on the final tracing from the prior application.

Mr. Tuck-Macalla advised that there was no changes from the last time the planning commission looked at it and signed it. He advised the documents are in his office and as soon as planning commission gives his go ahead he'll call the applicant and he can take it down and have it recorded.

Mr. Foster inquired if both Mr. Bierut and Mr. Liskovec have both reviewed it?

Mr. Tuck-Macalla confirmed that they have and advised that they signed it. He then inquired of Mr. Barbour if the commission needs to refer this to council?

Mr. Barbour advised that they would have a motion to approve it as then refer to council.

Mr. Foster remarked that he was under the impression that it went to council after they reviewed and approved it at the last meeting.

Mr. Barbour replied that it did, but they missed this technical language so it had to come back because they didn't have the final tracing until a couple weeks ago.

Mr. Petkash inquired if city council has to approve this plan before it goes ahead?

Mr. Barbour replied in the affirmative. It will go to city council for review under the ordinance and their approval or disapproval at a public meeting. Likely a couple meetings.

Motion by Mr. Kirk, **Second** Ms. Byrnes Maier, to approve and refer to council.

Motion carried 7 yeas, 0 nays

**Property Address: 29230 Wolf Rd.
Bay High School Field House**

Mr. Foster introduced the next item on the agenda as the Bay High Field house. He inquired who was here to present.

Mr. Ken Lochner introduced himself as the representative from Architectural Vision Group (AVG).

Mr. Foster recapped that this has already received architectural review board approval.

Mr. Lohner confirmed that it has and that it has also already been through the building department. At this point, there are no objections to it.

Mr. Foster inquired of Mr. Tuck-Macalla how a project goes to ABR without planning commission referring it to ABR.

Mr. Tuck-Macalla advised he doesn't have any defense. When it came in he sent it right to ABR and didn't think it had to go to planning commission until afterwards. Mr. Barbour asked if it had been to planning commission and he looked back in some early minutes and he saw field house and he thought it had gone to planning commission a year ago. He advised that it was his error that they are all out of sync.

Mr. Foster inquired if the applicant would like to give the commission a walkthrough of what is proposed.

Mr. Lochner advised that it's a 4500 sq. ft. standalone building at the south end zone of the current football field. It will contain additional men and women's rooms, a concession stand, a spirit shop, two team rooms, and a trainer room.

Mr. Foster inquired if this structure replaces the buildings that are used at the west side now? Do those get removed or are those staying?

Mr. Lochner replied that the owner hasn't decided what he wants to do with the existing concession stand. He may use those as storage. All the concessions will be at the new building now. This is in addition to the existing bathrooms which will remain.

Mr. Foster remarked that there are a lot of alternates listed on these drawings. What is going to be built?

Mr. Lochner replied that they are meeting with the school board on Monday. The superintendent expressed interest in the infrastructure type of alternatives which would be 4, 5 or 6. This would help in correcting a long history of sewer problems that they have from the existing service building all the way to Bassett Road. There has been some storm water issues with the south end zone area and the maintenance facility parking lots that is supposed to be addressed as an alternate now. The existing service building is an all-electric building. Needless to say it is very expensive to heat in the wintertime and they've asked for gas service to be brought to the building. In the very near future the main heating elements in the service area will be switched to gas. The other 3 were cosmetic. There is going to be an entrance gate on the west side of the field house building next to where you park the ambulance during events. That is in the projects. The arch above it and signage was an alternate and because of the cost of the project it doesn't look like they are going to accept the extra arch and the extra signage. There will be two masonry piers which are going to be the same type of work that was done about 5-6 years ago when they built the other ticket booth on the east side of the stadium. There was an alternate for some additional masonry piers or some architectural type fence and it doesn't look like that is going to be accepted because of the cost. The third one was some decorative benches and some inlay in the concrete that spelled out Bay as the boys run out of their team room facility.

Mr. Kirk inquired if they specifically prioritized the alternatives. For example if there is extra dollars this is the alternative they'd like to do first and if those are not affiliated with this building or the surrounding grounds it's actually affiliated with the maintenance garage/maintenance parking lot.

Mr. Lochner advised that the first three were part of the field house building and the last 3 were infrastructure. The school has some of their own funds they can put towards the infrastructure. The very generous people of Bay Village, who raised a considerable amount of money to build this fieldhouse building, didn't really want to pay for the infrastructure repairs, and he can't blame them, so the school is going to participate. It was most cost effective to bid it with their project and the contractors understood that they were add alternates and they may or not be accepted. It is up to the school to decide which one of those infrastructures they wanted to participate in. That is additional money that is brought to the table other than monies that were raised for the field house. The first three were cosmetic and it really depended on where the bids fell. Unfortunately because of COVID they had very competitive labor pricing, but the materials got excessive and they could not, at this time, afford the cosmetic first 3 alternates.

Mr. Foster inquired, if for the sake of their audience, could Mr. Lochner share his screen to show the plans. Additionally he inquired, as a matter of protocol, for tonight the planning commission's only course of action would be to refer this to a public hearing?

Mr. Barbour replied that they would need to send it to the police, fire, and tree commission. He doesn't think there is any landscaping that would be an issue, but he isn't sure. They'd need to refer it to the departments and it does need to be set to public hearing and there is a 10 day notice requirement.

Mr. Lochner proceeded to share his screen with the photosims of the project. He showed the arch, pillars, and fence that he referenced earlier and they are in the project. He advised that it matches the existing black fence that is there now. He showed the gate that allows the ambulance in and out.

Mr. Foster inquired how much of the fencing will be new? Will the new fencing cover the entirety of the south end zone along the parameter?

Mr. Lochner advised that the building will be part of the barrier between the outside of the stadium facility and the inside, but the fence will run east west two the building and then from the building to the west. It can be considered a secure area from the fencing standpoint.

Mr. Kirk inquired if that was a chain link fence or is it the same fence that is depicted underneath the Bay stadium entrance pillars?

Mr. Lochner replied that is the architectural fence which will be there. It's a vertical picket type. The rest of it will be a black chain link to match what is there.

Mr. Kirk summarized that everything east of the southeast corner of the new building will be chain link.

Mr. Lochner replied that it is already chain link they are just going to take out a portion and put their building there.

Mr. Foster inquired if the materials that he's got proposed on here do they match what is at the east entrance.

Mr. Lochner confirmed that they do. The same split face block color manufacturer.

Mr. Kirk inquired if the roof was an add alternate or is that shingled?

Mr. Lochner advised that it is a PVC pipe with a ply vertical ribs to make it look like a standing seam roof. It is actually a PVC roof in the light gray.

Mr. Foster inquired if there was a reason they chose that because it's a very expensive roof.

Mr. Lochner advised that it is the most durable. It will give them the least amount of problems and it's got a great warranty verses a tab or residential system. He advised that it really isn't that much of a premium. It's a fairly simple roof that they lay pretty quick.

Ms. Davitt advised that she's looking at the floor plan and she's having a difficult time telling which direction is north.

Mr. Lochner advised that the concession stand and the doors that you see are on the north face. There is only windows and the Bay School logo on the south face.

Ms. Davitt clarified that both the team and public enter at the north and the concession stand is there?

Mr. Lochner advised that was correct. They have a large concrete plaza between this building and the running track fence. They have plenty of traffic flow – it shouldn't be a problem.

Ms. Davitt inquired why the handicap bathrooms are furthest from the door.

Mr. Lochner advised that shouldn't be the case. They have to put handicap bathrooms in the team room and that might be what she's noticing. The public ones that come in off the north face it's just the way the rooms' layout. They've kept them fully accessible. On the men's room side having the handicap stall closer to the entrance, because the door swings out, that may be a tempting liability for someone to swing on.

Mr. Lochner inquired if the board is saying that they are going to need to send the package that they sent to the ARB to this board for review and it will take up to 10 days?

Mr. Tuck-Macalla advised that he would send it out for review. He advised that fire and service have already looked at it. He will send it over to police.

Mr. Lochner advised that the building has a complete smoke detector system throughout and they have surveillance cameras being installed.

Mr. Tuck-Macalla remarked that he's already talked to the fire about the fire alarm and they didn't have any comments. He just got the engineering plans back this evening and service has been working with Mr. Bierut on those. He remarked that they are going to be thrilled that they are going to be working on those 4, 5, and 6 alternates because that came up in their discussion.

Mr. Lochner advised that the sanitation problem was brought to their attention fairly late in the design process and thanked the City for running a camera and providing a video.

Mr. Barbour added that they are going to have a public hearing, by ordinance, and it will require a 10 day notice in a newspaper of general circulation. Assuming that newspapers aren't published every day we are going to have to hope we can get it published in The Plain Dealer. The soonest you could have that meeting is March 31 assuming that it's able to get published within the 10 days which looks like it might be this Saturday. We won't be able to use The Westlife or The Observer because we won't meet their deadlines to get it published 10 days in advance – it's already too late. They are weekly publications.

Mr. Lochner advised that the contractor was in contact with them today and they are looking for a letter of commitment from the owner.

Mr. Barbour replied that they have to have a public hearing and there is no way around it.

Mr. Lochner advised that he understands.

Mr. Foster inquired after their construction schedule.

Mr. Lochner replied that depending on when everything gets started they were hoping for a November 15th completion date, but seeing the size of the building and the contractor's capabilities we could probably meet that even if we get a late start. We'd have to sit down and go over it with them again if there is a late start. One of the things the school may incur is, if this thing is delayed by any length of time, the suppliers may not hold their prices. It's crazy out there right now with materials.

Ms. Byrnes Maier inquired what had been their anticipated start date.

Mr. Lochner advised they were hoping to have it started with a commitment letter on March 23rd from the school board meeting on the 22nd. Then they have to go through shop drawing procedures, they need to do their schedule of values and deliveries, and work it out with their suppliers and get it back to them in earnest so they can finalize a construction schedule.

Mr. Barbour sought clarification that there were no variances needed for this project.

Mr. Lochner advised that in talking with the building commission and ARB there were none required.

Mr. Foster remarked that he's assuming this is permitted as a non-confirming use in the residential area? Since they are adding onto a conditional use permit building does it have to go to zoning?

Mr. Tuck-Macalla advised that he is not aware that it would have to. He advised that was why he didn't think, at the time, that it needed to go to planning commission. In the past, when he's dealt with additions to schools once you have the conditional use in place anything that is added falls under that.

Mr. Barbour added that the last time they, either Normandy School or Westerly, were in front of planning commission he didn't think it was required. It was not a requirement even though they built an addition. This is a little different, but no he doesn't believe it will need to.

Mr. Foster inquired if there were any further questions or comments.

Motion by Ms. Davitt, **Second** by Mr. Remein, to refer to public hearing.

Motion carried 7 yeas, 0 nays

Mr. Barbour advised that they will try to get the public hearing set up for March 31st and inquired if a majority would be available.

Board concurred that they would be available.

Mr. Foster inquired if there was a council update.

Ms. Byrnes Maier advised that the mixed use zoning overlay is in front of council and they are hoping for a first reading at their next meeting, on the 29th, and then there would be a referral to planning commission. This might be our 8/9th meeting of mixed use overlay for planning commission. That is the plan to get it referred to planning commission give you a chance to look at it make any other changes. They had a council meeting Monday and there weren't any substantial questions about the meat of the mixed use overlay. They will have Jason Russell come back and present, to planning commission, and pending the results of that then it will go back to council. As you know, it is all referendum zoning so city council would have to approve any of the legislation and then it

would go to a vote of the City of Bay Village and it would have to be approved in both wards and in the City as a whole. The hope would be to get it on the ballot for November that is the timeline they are working on but it's all contingent on the sequence of steps and approvals.

Mr. Foster advised that the sooner they can get a copy of the final issue of the overlay so they have time to review it the better. There has been a lot of questions and definitions so it would be very helpful if they had time to review it before the next meeting.

Motion by Mr. Byrnes Maier, **Second** by Mr. Remein, to adjourn.

Motion carried 7 yeas, 0 nays

There being no further discussion, the meeting adjourned at 8:04 p.m.

Jeff Foster, Chairman

Lauren Oley, Secretary