

Minutes of the  
City of Bay Village Planning Commission Public Hearing and Meeting  
Held September 15, 2021  
7:30 p.m.

Present: Jeff Foster, Rick Kirk, Kendra Davitt, Dave Maddux, Sara Byrnes Maier

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

Excused: Jennifer Lesny Fleming, Warren Remein

Audience: Vince Monachino & Mike Scaletta

*\*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 August 18, 2021.

**Motion** by Ms. Byrnes Maier, **Second** by Ms. Davitt, to approve the minutes of the Planning Commission meeting held August 18, 2021 with minor corrections.

**Motion carried 5 yeas, 0 nays**

**Excused: Lesny Fleming, Remein**

Mr. Foster introduced the next item on the agenda as the Bay Creek 402 & 406 Bay Creek – Lot Consolidation.

Mr. Monachino introduced himself and advised that they are back this evening as part of their lot consolidation. They were in front of the ABR last week and worked through the drawings and received a unanimous approval on that without any comments for them. They expanded on the package that they brought to this board last time. Including more elevations and more detail as discussed. They incorporated landscape design as well which is the same package that you received this evening. The last time there were some questions about the architecture and the elevations.

Mr. Foster remarked that he feels the scale of the house seems right. It's sort of a narrow wide house which fits with the rest of the architecture.

Mr. Monachino replied that he knows there was a discussion about the garage elevation as you come in from the Wolf Rd. entrance. As you can see, they've got windows on that side and they brought the stone water table up to the same height trying to make it not read like the side of a garage elevation. They reviewed that with the folks on the ABR and they seemed to agree. Considering the rest of the garages do, in effect, project out of the buildings they thought it was consistent with that look that they already have with the other residences on site.

Mr. Foster commented that most people won't even realize it's a single residence.

Mr. Barbour stated that at the last meeting Commission member Mr. Remein brought to his attention the fact that there was no definition of townhome in the code and after his review he agreed there is not. Ordinance 1158 was the attached residence district code section which was in existence in 1974, and was amended in 2016, which said townhouses were defined in 1129.47 A. 1121 goes back to 1954 with one addition or amendment in 1961 and there was never an amendment to 1129.47 to define townhouse - there isn't anything there to use. This project was previously approved with one single family residence as part of the attached residence district for this project. The circumstances that were discussed and the proximity to the slope became a problem once they started building which is a change in circumstances that could not have been predicted. He doesn't have anything else. There is no definition of townhouse. This is the first project under the 2016 version of 1158 so they are treading on virgin territory here. Subsequently he will address the definition of townhouse. They really don't have anything in Bay Village books current or past as to the definition of townhouse with the exception of mixed use overlay.

Mr. Tuck-Macalla added that the only comment he had is that he is somewhat relieved that the construction will be further away from the cliff there. He could see some issues with how close it was.

Mr. Foster inquired if there were any further questions from the board.

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

**Motion carried 4 yeas, 1 nays (Davitt)**

**Excused: Lesny Fleming, Remein**

Mr. Monachino confirmed with Mr. Tuck-Macalla that he needs to work with the Building Department regarding the plot plan changes.

Mr. Foster turned it over to Ms. Byrnes Maier for a council update.

Ms. Byrnes Maier advised that there are going to be changes to the parking section of the code 1191. The Council found discrepancies in how many parking units they are supposed to have for existing areas like Key Bank, which needed 50 spots, and Ross needed 50 spaces.

Mr. Tuck-Macalla interjected to say that when he started looking through specific Certificates of Occupancies those numbers were inconsistent. If you added them all together they needed 590 spaces in that area. He's since reviewed the code to try to bring it in line with other cities. There may be some businesses that are looking to come to Bay Village, but can't due to the parking restrictions.

Mr. Foster confirmed that the board will need to review that information.

Ms. Byrnes Maier advised that it was referred by council at their meeting this last Monday.

Mr. Barbour advised that any changes to the zoning code need to be reviewed by the Planning Commission then it will go back to Council.

Mr. Foster added that it would be greatly helpful if they had some of the neighboring communities as well as they are discussing it to know the context.

Mr. Tuck-Macalla advised that he was going to put together a memo for that meeting and he can add that information.

Mr. Foster stated that shared parking and those types of concepts really fit in with the mixed use overlay. In practice - it works. Is it sometimes short of parking at Thyme Table? Sure, but everyone can share.

Ms. Byrnes Maier stated that the current section is from 1954 and has never been updated.

Mr. Kirk inquired if they are taking any of the language that is associated with the mixed use overlay for this revision? Or the spirit?

Mr. Tuck-Macalla replied that they are not, but the mixed use overlay refers back to this section. There is one section in there that seemed to be ignored is that all the parking has to be accounted for. Currently you can't count daytime parking with nighttime parking. You had to have each space accounted for your business. Ross needs 50 and Key Bank needs 50 and their spaces are overlapping.

Ms. Byrnes Maier advised that means they'll be meeting October 6<sup>th</sup> to go over that. On October 5<sup>th</sup> there is a public meeting for the mixed use overlay, just before the election, to have an open

house/town hall on the mixed use overlay and also the rezoning for Heinen's, since they are both Ballot Issues, that is at 6:30 pm. The planning zoning building and grounds committee is going to be meeting on September 27<sup>th</sup> at 6:00 pm and have a slate of different meeting dates throughout the end of the year to finish up the pending matters – tree ordinance being one.

Mr. Kirk inquired if there is any push relative to the mixed use overlay and the upcoming election?

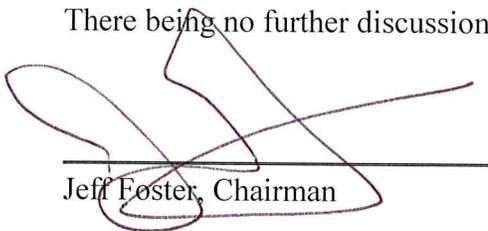
Ms. Byrnes Maier replied that there is. It will be going out in the Mayor's newsletter, in about a week, and then the public meeting and some additional materials are on the website. There will be some things being pushed out to educate people on it.

**Motion** by Mr. Foster, **Second** by Ms. Byrnes Maier, to adjourn.

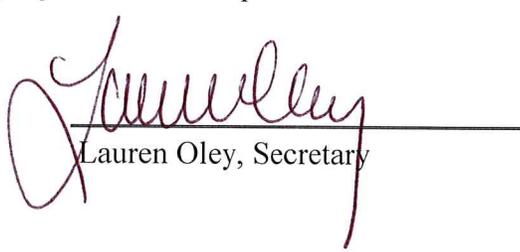
**Motion carried 5 yeas, 0 nays**

**Excused: Lesny Fleming, Remein**

There being no further discussion, the meeting adjourned at 7:42 p.m.



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Jeff Foster, Chairman



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Lauren Oley, Secretary