

REGULAR MEETING

PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: June 7, 2016

AGENDA

TIME: 7:00 P.M.

WORK SESSION – 6:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

- a. Approval of Minutes of the Work Session of April 19, 2016 (roll call)
- b. Approval of Minutes of the Regular Meeting of April 19, 2016 (roll call)

4. NEW BUSINESS (Swear- in applicants)

The Chairman shall inform those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." - Please give your name and address for the record.

- a. Nick Badah Enterprise, Inc. of Gasway Service Station located at 1483 Broadway Avenue – BNEXT Signs & Awing's, 5109 Clark Avenue, Cleveland is seeking relief from §1949.12 of the Codified Ordinances of the City of Bedford for approval to install a new pole sign, 22' high x 84" in width with a total of 86.33 sq. ft. (roll call)
- b. Joseph Greenler, 10801 Tittle Road, Defiance, OH – Central Congregation of Jehovah's Witnesses, 1406 Broadway Avenue is proposing to update the building exterior – §1305.09 Building Plan Review (roll call)
- c. Safely Home, Inc., 121 Center Road, Bedford is seeking relief from §1929.02 of the Codified Ordinances of the City of Bedford for approval for additional office space and class room expansion after the purchase of 111 Center Road which is an existing two family dwelling (roll call)
- d. Heather Rhoades, 241 Center Road, Bedford is seeking relief from §1927.02 of the Codified Ordinances of the City of Bedford for approval to convert the 2nd floor of the existing detached two car garage into a one bedroom apartment (roll call)
- e. MRLM, LLC, 6011 Heisley Road, Mentor, OH – 600 Solon Road is seeking relief from §1305.09 of the Codified Ordinances of the City of Bedford for approval to construct a new 3,876 sq. ft. structure to be used as an Office/Warehouse for their landscaping business (roll call)
- f. Proposed Ordinance rezoning property described herein from "R-3" to "R-2" classification located at 480 Northfield Road (Permanent Parcel 811-29-031) (roll call)
(§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)
- g. Proposed Ordinance rezoning property described herein from "R-3" to "B-1" classification located at 466 Northfield Road (811-30-013/811-30-014/811-30-015/811-30-016 Walsh Building Property) (roll call)
(§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

- h. Proposed Ordinance rezoning property described herein from “R-3” to “B-1” classification located at 468 Northfield Road (811-30-017/811-30-018/811-30-019/811-30-020 (Willard Ave.) Plaza Property (roll call) (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

5. **MISCELLANEOUS**

6. **ADJOURNMENT**
(roll call)

PLEASE TURN OFF ALL CELL PHONES BEFORE PLANNING COMMISSION MEETING
(Planning Commission Minutes and Agendas posted at www.bedfordoh.gov)

Planning Commission met in a Work Session at Bedford City Hall on Tuesday, June 7, 2016 at 6:03 p.m.

Present: Dickard, Dzomba, Powers, Briggs, Mallis. Absent: None.

Also Present: Secretary Lorree Villers, Building Commissioner Calvin Beverly.

Applicants Present: Joseph Greenler with three other representatives and Gasway owners Nick and Sam Badah.

The Commission had no changes to the April 19, 2016 minutes.

Nick Badah Enterprise, Inc. of Gasway Service Station located at 1483 Broadway Avenue – BNEXT Signs & Awning's, 5109 Clark Avenue, Cleveland is seeking relief from §1949.12 of the Codified Ordinances of the City of Bedford for approval to install a new pole sign, 22' high x 84" in width with a total of 86.33 sq. ft.

Mr. Beverly explained the location the owners were requesting approval to install a new pole sign 22 feet high x 84 inches in width at the location shown in the documentation submitted. Mr. Mallis needed clarification on the exact location of the sign; he thought it might be a tad congested if it was where he thought due to telephone poles and wiring. Mr. Beverly said the location was chosen because of the competition across the street. It was determined it was not where he thought so the Commission was in approval of the location. Discussion was held of the several problems the owners had encountered with the manager that was overseeing the project so the grand opening was delayed. The owners would submit for a Liquor License after the project was completed per the State with the approval/support of Chief Nietert. The Commission did not have any other issues with the project.

Joseph Greenler, 10801 Tittle Road, Defiance, OH – Central Congregation of Jehovah's Witnesses, 1406 Broadway Avenue is proposing to update the building exterior – §1305.09 Building Plan Review

Mr. Beverly explained the interior and exterior projects would be dealt with separately. The interior would be submitted to the Building Department first which would give Council an opportunity to consider the Commission's recommendation at their July 5th meeting.

Safely Home, Inc., 121 Center Road, Bedford is seeking relief from §1929.02 of the Codified Ordinances of the City of Bedford for approval for additional office space and classroom expansion after the purchase of 111 Center Road which is an existing two family dwelling

Mr. Beverly explained the owners of the Safely Home wanted to come before the Commission and Council before they purchased the property for additional office space and class/meeting room expansion. Mr. Mallis asked if offices were permitted. Mr. Beverly replied, yes the applicant would have to submit documents for review and approval. The Commission did not have any other concerns.

Heather Rhoades, 241 Center Road, Bedford is seeking relief from §1927.02 of the Codified Ordinances of the City of Bedford for approval to convert the 2nd floor of the existing detached two car garage into a one bedroom apartment

Mr. Beverly explained the applicant requested approval to convert the space above the existing detached garage into a bedroom apartment. Mrs. Rhoades would not be present this evening but would have a representative available for questions/concerns. The Commission was concerned with the carbon monoxide because the garage was below a living space. It was determined other constructed homes had garages under living areas/bedrooms so it must meet code requirements. The Commission questioned if there needed to be another door for safety reasons or certain types of windows. Mr. Beverly explained this district did not require another door; however, the owner could install special egress windows for their own safety. Comments were made about the nice job the owners were doing in fixing up this home.

MRLM, LLC, 6011 Heisley Road, Mentor, OH – 600 Solon Road is seeking relief from §1305.09 of the Codified Ordinances of the City of Bedford for approval to construct a new 3,876 sq. ft. structure to be used as an Office/Warehouse for their landscaping business

Mr. Beverly explained the applicant was also the current renter of this location and was interested in purchasing the property from the City. The structure would be used as an office and warehouse for their growing landscaping business. Mr. Mallis said the City hoped the sales transaction would be completed soon and one benefit to the City was the City would still be able to dump the collected leaves throughout the City at this location after the sale.

Proposed Ordinance rezoning property described herein from “R-3” to “R-2” classification located at 480 Northfield Road (Permanent Parcel 811-29-031) (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

Mr. Beverly and Mr. Mallis were not 100% sure as to why the parcel was currently zoned the way it was but they had a good idea; 80% was R-2 and 20% was R-3. The property was designated with a dual zoning designation to accommodate St. Peter Chanel High School which use had expired. The desire was to clarify and confirm the original intent of the City that the property be zoned “R-2”. The rezoning from “R-3” to “R-2” was in the public interest and is consistent with the overall zoning map and established uses of the properties affected of the City.

Proposed Ordinance rezoning property described herein from “R-3” to “B-1” classification located at 466 Northfield Road (811-30-013/811-30-014/811-30-015/811-30-016 Walsh Building Property) (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

Mr. Beverly explained several parcels were designated with zoning designations of “R-3” to “B-1” which have been consolidated into one parcel by the Cuyahoga County Appraisal Department. The desire was to clarify and confirm intent of the City that the entire parcel be zoned “B-1”. The rezoning from “R-3” to “B-1” is in the public interest and was consistent with the overall zoning map and established uses of the properties affected of the City.

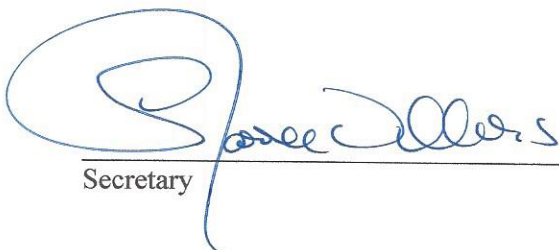
Proposed Ordinance rezoning property described herein from “R-3” to “B-1” classification located at 468 Northfield Road (811-30-017/811-30-018/811-30-019/811-30-020 (Willard Ave.) Plaza Property) (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

Mr. Beverly explained several parcels were designated with zoning designations of “R-3” to “B-1” which have been consolidated into one parcel No. 811-30-017 by the Cuyahoga County Appraisal Department. The desire was to clarify and confirm intent of the City that the entire parcel be zoned “B-1”. Parcel No. 811-30-020 located on Willard Avenue abuts parcel No. 811-30-017 which he wishes to clarify and confirm that the parcel be zoned from “R-3” to “B-1”. The rezoning from “R-3” to “B-1” was in the public interest and was consistent with the overall zoning map and established uses of the properties affected of the City.

The Commission did not have any concerns regarding the three (3) rezoning’s.

Secretary Villers said she would move forward with the Planning Commission Public Hearing which would be on July 19, 2016 at 6:00 p.m.

Work session adjourned at 6:40 p.m.


Secretary


Chairman

Planning Commission met in Regular Session at Bedford City Hall on Tuesday, June 7, 2016 at 7:00 p.m. The roll was called. Present: Dickard, Dzomba, Powers, Briggs, Mallis. Absent: None. Also in attendance was Building Commissioner Calvin Beverly.

Motion made by Dzomba and seconded by Briggs to approve the minutes of the Work Session of April 19, 2016. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Motion made by Mallis and seconded by Dzomba to approve the minutes of the Regular Meeting of April 19, 2016. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Chairman Dickard informed those present that according to a ruling by the Law Department, anyone wishing to speak at a public hearing is to rise, raise their right hand and the following oath administered. "Do you solemnly swear or affirm that the statements you are about to make are the truth." Then give your name and address for the record.

Nick Badah Enterprise, Inc. of Gasway Service Station located at 1483 Broadway Avenue – BNEXT Signs & Awning's, 5109 Clark Avenue, Cleveland is seeking relief from §1949.12 of the Codified Ordinances of the City of Bedford for approval to install a new pole sign, 22' high x 84" in width with a total of 86.33 sq. ft.

Present: Nick and Sam Badah of Gasway Service Station located at 1483 Broadway Avenue.

The only stipulation the Commission had was the previous [old BP] sign structure be removed permanently.

Motion made by Mallis and seconded by Dzomba to approve the application of Nick Badah Enterprise, Inc. of Gasway Service Station located at 1483 Broadway Avenue – BNEXT Signs & Awning's, 5109 Clark Avenue, Cleveland who was seeking relief from §1949.12 of the Codified Ordinances of the City of Bedford for approval to install a new pole sign, 22' high x 84" in width with a total of 86.33 square feet with the condition the previous [BP] sign structure be removed subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Villers stated the recommendation of the Planning Commission would be before City Council for final approval on Tuesday, July 5, 2016 at 8:00 p.m.

Joseph Greenler, 10801 Tittle Road, Defiance, OH – Central Congregation of Jehovah's Witnesses, 1406 Broadway Avenue is proposing to update the building exterior – §1305.09 Building Plan Review

Present: Joseph Greenler, Project Manager, for Central Congregation of Jehovah's Witnesses on 1406 Broadway Avenue.

Mr. Greenler was present for questions or concerns. Mr. Mallis clarified some of the landscaping would be removed and the parking area would be addressed.

Motion made by Dzomba and seconded by Briggs to approve the application of Joseph Greenler, 10801 Tittle Road, Defiance, OH – Central Congregation of Jehovah’s Witnesses, 1406 Broadway Avenue who was proposing to update the building exterior – §1305.09 Building Plan Review subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Villers stated the recommendation of the Planning Commission would be before City Council for final approval on Tuesday, July 5, 2016 at 8:00 p.m.

Safely Home, Inc., 121 Center Road, Bedford is seeking relief from §1929.02 of the Codified Ordinances of the City of Bedford for approval for additional office space and classroom expansion after the purchase of 111 Center Road which is an existing two family dwelling

Present: Laura Rininger, Director of the Business Office.

Ms. Rininger, previously sworn in, explained they were interested in purchasing the property but they wanted to make sure the home could be used for business offices and meeting area prior to purchase. It would not be residential, there would not be anyone sleeping in the building and it would be used for business offices because they had grown out of the building next door. She said they also wanted to address the parking situation to allow the children more room to play with the joining of the two properties. Mr. Beverly clarified if approved this would be a change of occupancy, construction documents would be required for review and approval. A sprinkler system was not necessary for this type of use. Ms. Rininger would wait until approved by Council before purchasing the property.

Motion made by Dzomba and seconded by Mallis to approve the application of Safely Home, Inc., 121 Center Road, Bedford who is seeking relief from §1929.02 of the Codified Ordinances of the City of Bedford for approval for additional office space and classroom expansion after the purchase of 111 Center Road which is an existing two family dwelling subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Villers stated the recommendation of the Planning Commission would be before City Council for final approval on Tuesday, July 5, 2016 at 8:00 p.m.

Heather Rhoades, 241 Center Road, Bedford is seeking relief from §1927.02 of the Codified Ordinances of the City of Bedford for approval to convert the 2nd floor of the existing detached two car garage into a one bedroom apartment

Present: Jeff Hric, 241 Center Road.

Mr. Hric previously sworn in, explained the building already had electric, water, natural gas and possibly sewer so their wish was to convert the area into a living space above the three car detached garage.

Motion made by Powers and seconded by Dzomba to approve the application of Heather Rhoades, 241 Center Road, Bedford who is seeking relief from §1927.02 of the Codified Ordinances of the City of Bedford for approval to convert the 2nd floor of the existing detached two car garage into a one bedroom apartment subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Villers stated the recommendation of the Planning Commission would be before City Council for final approval on Tuesday, July 5, 2016 at 8:00 p.m.

MRLM, LLC, 6011 Heisley Road, Mentor, OH – 600 Solon Road is seeking relief from §1305.09 of the Codified Ordinances of the City of Bedford for approval to construct a new 3,876 sq. ft. structure to be used as an Office/Warehouse for their landscaping business

Mr. Beverly explained they were currently using a job trailer to work out of and would like to construct a new building for an office and warehouse for their landscaping business.

Motion made by Mallis and seconded by Dzomba to approve the application of MRLM, LLC, 6011 Heisley Road, Mentor, OH – 600 Solon Road who is seeking relief from §1305.09 of the Codified Ordinances of the City of Bedford for approval to construct a new 3,876 sq. ft. structure to be used as an Office/Warehouse for their landscaping business subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Villers stated the recommendation of the Planning Commission would be before City Council for final approval on Tuesday, July 5, 2016.

Proposed Ordinance rezoning property described herein from “R-3” to “R-2” classification located at 480 Northfield Road (Permanent Parcel 811-29-031) (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

Mr. Beverly stated the property was designated with a dual zoning designation. The desire was to clarify and confirm the original intent of the City that the property be zoned “R-2”. The rezoning from “R-3” to “R-2” was in the public interest and is consistent with the overall zoning map and established uses of the properties affected of the City. There was no discussion.

Motion made by Mallis and seconded by Briggs to approve the rezoning request for the proposed Ordinance rezoning property described herein from “R-3” to “R-2” classification located at 480 Northfield Road (Permanent Parcel 811-29-031).

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Secretary Villers reminded the Commission members the next step would be a Public Hearing on July 19, 2016 for the three rezoning requests.

Proposed Ordinance rezoning property described herein from “R-3” to “B-1” classification located at 466 Northfield Road (811-30-013/811-30-014/811-30-015/811-30-016 Walsh Building Property) (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

Mr. Beverly explained several parcels were designated with zoning designations of “R-3” to “B-1” which have been consolidated into one parcel by the Cuyahoga County Appraisal Department. The desire was to clarify and confirm intent of the City that the entire parcel be zoned “B-1”. The rezoning from “R-3” to

"B-1" is in the public interest and was consistent with the overall zoning map and established uses of the properties affected of the City. This was in conjunction with the 480 Northfield Road parcel.

Motion made by Briggs and seconded by Dzomba to approve the rezoning request for the proposed Ordinance rezoning property described herein from "R-3" to "B-1" classification located at 466 Northfield Road (811-30-013/811-30-014/811-30-015/811-30-016 Walsh Building Property).

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Proposed Ordinance rezoning property described herein from "R-3" to "B-1" classification located at 468 Northfield Road (811-30-017/811-30-018/811-30-019/811-30-020 (Willard Ave.) Plaza Property (§1921 – 6/7/16 PC - 6/15/16 Newspaper - 7/19/16 PC Public Hearing - 8/1/16 1st Rdg)

Mr. Beverly explained several parcels were designated with zoning designations of "R-3" to "B-1" which have been consolidated into one parcel No. 811-30-017 by the Cuyahoga County Appraisal Department. The desire was to clarify and confirm intent of the City that the entire parcel be zoned "B-1". Parcel No. 811-30-020 located on Willard Avenue abuts parcel No. 811-30-017 which he wishes to clarify and confirm that the parcel be zoned from "R-3" to "B-1". The rezoning from "R-3" to "B-1" was in the public interest and was consistent with the overall zoning map and established uses of the properties affected of the City. This was in conjunction with the 480 Northfield Road parcel.

Motion made by Powers and seconded by Dzomba to approve the rezoning request for the proposed Ordinance rezoning property described herein from "R-3" to "B-1" classification located at 468 Northfield Road (811-30-017/811-30-018/811-30-019/811-30-020 (Willard Ave.) Plaza Property

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Mallis and seconded by Briggs to adjourn. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Meeting adjourned at 7:13 P.M.


Secretary


Chairman