

REGULAR MEETING
AGENDA

PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA

DATE: March 5, 2019
TIME: 6:00 P.M.

WORK SESSION – 5:30 P.M.
(Briggs term expires May)

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MINUTES**
 - a. Approval of Minutes of the Regular Work Session of February 5, 2019 (roll call)
 - b. Approval of Minutes of the Regular Meeting of February 5, 2019 (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. Motion to remove from the table the request from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (roll call) (§1927.02 / §1915.24)
 - b. Motion to deny the application of the Planning Commission of February 5, 2019 base on the Council denial of February 19, 2019 for failure to submit the requested documentation from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (roll call) (§1927.02 / §1915.24) – (Adm. Code 5122-30-01 / 5122-30-03 / 5122-30-11 / 5122-30-14)
 - c. JP Martini, Martini Construction Company, 2222 Hamilton Avenue, Cleveland owner Marvin Hewatt, 700 Turney Road Center, LLC., 305 Equipment Court, Lawrenceville, GA is proposing to renovate the exterior of the Sunoco Service Station and Canopy into a convenient store and gas station (roll call)
 - d. Yolanda Lewis, 7110 Chestnut Drive, Walton Hills owner Michael Shore is proposing to open a Beauty Salon located at 794 Broadway Avenue (§1937.03) (B-2 District) (roll call)
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)

(Please contact the Building Department at 440-735-6530 and/or Building Commissioner Calvin Beverly at 440-735-6531 for questions)

Planning Commission met in a Work Session at Bedford City Hall on Monday, March 5, 2019 at 5:31 p.m. Present: Powers, Dzomba, Mowery, Briggs. Absent: Mallis.

Also Present: Secretary Lorree Villers and Building Inspector Richard Hickman.

Absent: Building Commissioner Calvin Beverly and Law Director John Montello.

The Commission had no corrections to the February 5, 2019 Work Session or Regular Minutes. Mrs. Briggs pointed out a typing error in which Secretary Villers would correct.

Secretary Villers explained Ms. Johnson failed to bring the requested documentation for the Commission's review so Council took action at their February 19, 2019 meeting and failed Ms. Johnson's request. The next two motions were placed on the agenda for clarification and tracking purposes. Ms. Villers said to her knowledge Ms. Johnson had not contacted the Building Department with the required documentation.

Motion to remove from the table the request from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (roll call) (§1927.02 / §1915.24)

The Commission removed this item from the table because Ms. Johnson failed to bring the requested documentation for the Commission's review.

Motion to deny the application of the Planning Commission of February 5, 2019 based on the Council denial of February 19, 2019 for failure to submit the requested documentation from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (§1927.02 / §1915.24) – (Adm. Code 5122-30-01 / 5122-30-03 / 5122-30-11 / 5122-30-14)

To date, Ms. Johnson has failed to bring the requested documentation for the Commission's review. Council denied the application at the February 19, 2019 regular Council Meeting for failure to submit the requested documentation.

For clarification and tracking purposes from the discussion at the February 5, 2019 meeting:

[Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (§1927.02 / §1915.24) – (Adm. Code 5122-30-01 / 5122-30-03 / 5122-30-11 / 5122-30-14)

At the February 5, 2019 Planning Commission meeting, Mr. Beverly explained upon receipt of the application he called Mr. Zayed because the renter on file was a different name than what was on the application plus he needed to know the exact number of people who would potentially be living in the Group Home because of the codes. He was informed by Mr. Zayed that the previous renter had been evicted because of the several Criminal Nuisance complaints. Mr. Beverly informed Mr. Zayed he needed to schedule a Rental Inspection since there was a change in renters. He understood from Mr. Zayed that Ms. Johnson currently had four children so there was (5) five people living in the home. Mr. Beverly told Mr. Zayed per the codes, you can't mix family with Group Home residents. Mr. Zayed told Mr. Beverly that 172 John Street would be the Group Home and Ms. Johnson would be living elsewhere in one of his other rentals. At the previous meeting the Commission needed clarification on the following: 1) who would be residing at 172 John Street, 2) how many people would be in the Group Home, 3) proof Ms. Johnson would live elsewhere, 4) the required certifications, and 5) approval from the Fire Department.]

JP Martini, Martini Construction Company, 2222 Hamilton Avenue, Cleveland owner Marvin Hewatt, 700 Turney Road Center, LLC. 305 Equipment Court, Lawrenceville, GA is proposing to renovate the exterior of the Sunoco Service Station and Canopy into a convenient store and gas station

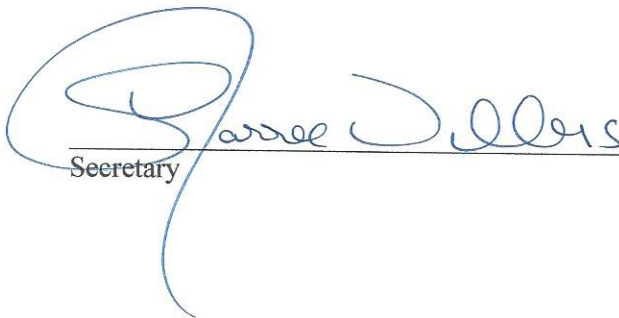
Mr. Hickman referred to Mr. Beverly's memo which stated Mr. Beverly was in support of the request/application. Mr. Hickman and Secretary Villers expressed Mr. Mallis had a couple concerns which were: 1) who owned the property, and, 2) if the applicant owned other stations. Mr. Hickman stated for the record per the Cuyahoga County Auditor the property was purchased in 2009 and he would inquire whether the applicant owned other stations.

The Commission reviewed the submitted renderings and felt it would be a great improvement. Mr. Mowery had questions and concerns regarding the existing underground gasoline tanks; however, nobody present knew the answers. Mr. Hickman and Mr. Mowery heard in the past there had been issues with the station running out of gasoline with the former management team.

Yolanda Lewis, 7110 Chestnut Drive, Walton Hills owner Michael Shore is proposing to open a Beauty Salon located at 794 Broadway Avenue (\$1937.03) (B-2 District)

Mr. Hickman referred to Mr. Beverly's memo which state Mr. Beverly was in support of the request/application. The Commission was confused with the 794 Broadway Avenue address stated on the application because they thought the Yoga place was still in business; however, there was an empty space available next to it. After a brief discussion it was also determined this small plaza was not in the Historical District so that was not an issue. The Commission wanted verification of the address and would ask clarification from Ms. Lewis. Discussion was held whether the City Building Department had any control with Ms. Lewis' salon licensing and they weren't sure if Ms. Lewis could make house calls as per stated on the application. It was determined the City did not control the licensing aspect of the business and nobody knew if Ms. Lewis needed a background check since she would be scheduling house calls servicing senior citizens.

Meeting adjourned at 5:49 P.M.


Secretary


Chairman

Planning Commission met in Regular Session at Bedford City Hall on Tuesday, March 5, 2019 at 6:00 p.m. The roll was called. Present: Powers, Dzomba, Mowery, Briggs. Absent: Mallis. Also in attendance: Building Inspector Richard Hickman. Absent: Building Commissioner Calvin Beverly and Law Director John Montello.

Motion made by Dzomba seconded by Mowery to excuse Mr. Mallis. The roll was called. Vote – Yeas: Powers, Dzomba, Mowery, Briggs. Nays: None. Motion carried unanimously.

Motion made by Powers seconded by Mowery to approve the minutes of the Work Session of February 5, 2019. The roll was called. Vote – Yeas: Powers, Mowery, Briggs. Abstain: Dzomba. Nays: None. Motion carried.

Motion made by Dzomba seconded by Powers to approve the minutes of the Regular Meeting of February 5, 2019. The roll was called. Vote – Yeas: Powers, Dzomba, Mowery, Briggs. Nays: None. Motion carried unanimously.

[Chairperson Briggs 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.]

Motion to remove from the table the request from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (roll call) (§1927.02 / §1915.24)

Motion made by Mowery seconded by Dzomba to remove from the table the request from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents

The Chair explained the Commission removed this item from the table because Ms. Johnson failed to bring the requested documentation for the Commission's review.

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

Motion to deny the application of the Planning Commission of February 5, 2019 based on the Council denial of February 19, 2019 for failure to submit the requested documentation from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents (§1927.02 / §1915.24) – (Adm. Code 5122-30-01 / 5122-30-03 / 5122-30-11 / 5122-30-14)

Motion made by Powers seconded by Dzomba to deny the application of the Planning Commission of February 5, 2019 based on the Council denial of February 19, 2019 for failure to submit the requested documentation from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents

To date, Ms. Johnson had failed to bring the requested documentation for the Commission's review. Council denied the application for failure to submit the requested documentation by the February 19, 2019 regular Council Meeting.

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

For clarification and tracking purposes from the discussion at the February 5, 2019 meeting:

[Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents
(§1927.02 / §1915.24) – (Adm. Code 5122-30-01 / 5122-30-03 / 5122-30-11 / 5122-30-14)

Present: Tiffany Johnson, 172 John Street.

[At the February 5, 2019 Planning Commission meeting, Ms. Johnson explained she wished to open a Group Home in order to give a resident another option for care and so they can enjoy the amenities Bedford had to offer. She requested approval for (5) five residents; she fully understood if there were (6) six residents renovations to the property were necessary. Currently the property was move in ready. The residents would not be bedridden middle aged to elderly; excluding physic patients. She has been in this field since 2010, a nurse's assistant since 2005, licensed and listed on the Nurses Aid Registry, trained on autism, the Mental Health Department and the Ohio Department of Medicaid and previously had a day care center. Taking care of people was her passion plus her sister would be assisting her with the care of these residents. She said there would not be a lot of traffic or disrupt her neighbors. Her neighbors were already aware of her plans for a Group Home. She was in the process of an Occupancy Permit through the Building Department.

Mr. Mallis referred to the application that stated 5-6 residents. Ms. Johnson explained she had already passed the Fire Inspection for (5) five residents and the Housing Department approved (6) six residents. She had the inspections done prior to finding out she needed to apply to the Planning Commission. Mr. Mallis asked if she was living at 172 John Street. Ms. Johnson explained she and her sister would be taking care of the residents in this home.

Mr. Mowery asked if she had children living with her. Ms. Johnson explained if this request was approved by Council/the City she would be moving out. Mr. Zayed had other rental properties available for her and her family. Mr. Mowery understood the children would not be living at 172 John Street.

The Commission was in agreement that Ms. Johnson needed to submit verification/proof that she would not be living at 172 John Street with the Group Home residents and that Mr. Zayed had another address/home for her and her family to live. The concern was if she only had (2) two Group Home residents she may continue to live at 172 John Street. Ms. Johnson explained she could move in with her Grandmother if need be; however, Mr. Zayed claimed he had another rental home in Bedford Heights available. She said Mr. Zayed was aware of her intentions prior to renting the home to her. She said Mr. Beverly prior to the meeting contacted Mr. Zayed regarding the rental inspection and the Planning Commission application. The Building Department had a different renter's name living in the home which was evicted because of the Criminal Nuisance Ordinance.

Even though Ms. Johnson said she had other places to live Mr. Powers still was concerned about the number of people who could potentially end up living at 172 John Street. Ms. Johnson assured the Commission she would move out if this was approved. Mr. Mallis clarified Mr. Zayed needed to verify/prove she had another place to live. Ms. Johnson said she would drop off the documentation at City Hall. Mr. Mallis instructed her to submit the documentation to Secretary Villers.

Ms. Johnson explained being qualified for a Group Home was not easy. She was trained through the Mental Health Department in CPR, First Aid, Nursing assisting, State testing and so on; plus, the Mental Health Department was willing to come to the home for their training. She loved being educated and educating her sister. She also had nurses who were willing to assist at any time. Everyone was well rounded and educated on what it takes to run a Group Home. Opening a Group Home was not one of those ideas one wakes up in the morning and wants to open immediately. It takes training, education and

certifications/licensed. Mr. Powers asked if her sister was licensed. Ms. Johnson replied her sister was her assistant and currently being trained. Ms. Johnson was already State Tested and the requirements for a caretaker were: CPR, First Aid and Mental Health Illness Classes. She explained the first step was City approval and then the State would visit the home and have the final say whether she could open a Group Home. The Commission agreed to table this item until the requested documentation was submitted.]

JP Martini, Martini Construction Company, 2222 Hamilton Avenue, Cleveland owner Marvin Hewatt, 700 Turney Road Center, LLC. 305 Equipment Court, Lawrenceville, GA is proposing to renovate the exterior of the Sunoco Service Station and Canopy into a convenient store and gas station

Present: J.P. Martini, Martini Construction Company, 2222 Hamilton Avenue, Cleveland / Stephen Ciciretto, A. I. A. Architect, 270 Park Place, Chagrin Falls, Ohio 44022.

Mr. Martini, Martini Construction and Mr. Ciciretto, Architect, previously sworn in, displayed the renderings of the before and after pictures of the Sunoco Service Station. Mr. Ciciretto explained the foot print would not be changed. The request was to change the structure from a full service station to a convenient store with gasoline service. He showed the exterior changes would include new glass windows and bricking in the existing overhead garage bay doors and adding new store front windows above the bricked in areas. The pavement would be patched and sealed, interior and exterior painting and the canopy replaced plus the landscaping addressed. Mr. Martini explained Sunoco was reimagining all their stations by removing the garage car lifts and putting in new floors. The rear restrooms would be eliminated and incorporated into one larger restroom on the inside the convenient store which would be ADA compliant. He showed a picture of the Warrensville Sunoco renovation that he oversaw 7-8 years ago.

The Commission asked for clarification of the following: 1) How was the brick color variation being addressed. Mr. Ciciretto said the brick would be matched tastefully. 2) Was there going to be a new canopy above the two (2) uncovered existing gasoline pumps. Mr. Ciciretto was not sure why they weren't covered with a canopy but understood all the site conditions were going to stay as they were. Mr. Mowery thought a canopy should be over the pumps. Mr. Martini said that decision had to be made by the owners; they owned over 320+ gas stations. 3) Was Sunoco replacing the underground gasoline tanks? As an Architect, Mr. Ciciretto was not familiar with those types of laws. Mr. Martini said the owners were conducting a survey and act accordingly.

The construction would start as soon as Mr. Beverly gave the approvals and the permits were in place. The signage would be brought before the Commission at a later date.

Mr. Hickman asked for clarification on who was the owner. Mr. Martini said Warren Hewatt owned the company and had owned this structure for several years. Mr. Ciciretto said there was ownership and operators that work for the owner.

The Commission told the applicants their presentation was very professional.

Motion made by Mowery seconded by Dzomba to approve the application of JP Martini, Martini Construction Company, 2222 Hamilton Avenue, Cleveland owner Marvin Hewatt, 700 Turney Road Center, LLC. 305 Equipment Court, Lawrenceville, GA is proposing to renovate the exterior of the Sunoco Service Station and Canopy into a convenient store and gas station and subject to Building Department approval and compliance with all city codes and ordinances.

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

Yolanda Lewis, 7110 Chestnut Drive, Walton Hills owner Michael Shore is proposing to open a Beauty Salon located at 794 Broadway Avenue (§1937.03) (B-2 District)

Present: None.

Chairman Briggs stated for the record Ms. Lewis was not present this evening. Mr. Mowery felt the applicant wasn't serious about her application because she didn't show.

Chairman Briggs thought with the application presented there wasn't any major concerns so she felt it should be voted on. Mr. Mowery felt the address should be clarified and a small plot plan should have been submitted for the record.

Motion made by Powers seconded by Mowery to approve contingent on clarification of the address and a rendering/drawing of the exact location of the store front regarding the request of Yolanda Lewis, 7110 Chestnut Drive, Walton Hills and owner Michael Shore who is proposing to open a Beauty Salon located at 794 Broadway Avenue and subject to Building Department approval and compliance with all city codes and ordinances.

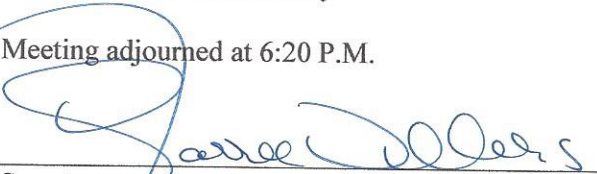
The roll was called. Vote – Yeas: Powers, Dzomba, Mowery, Briggs. Nays: None. Motion carried unanimously.

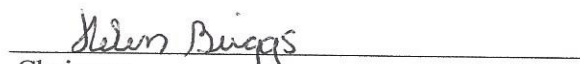
Chairperson Briggs stated the recommendations of the Planning Commission would be before City Council for final approval on Monday, March 18, 2019 at 8:00 p.m.

ADJOURNMENT

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

Meeting adjourned at 6:20 P.M.


Secretary


Chairman

Reference February 19, 2019 Regular Council Meeting Minutes:

Motion to deny the tabled application of the Planning Commission of March 5, 2019 for failure to submit the requested documentation from Tiffany Johnson, 172 John Street / owner Jamil Zayed 6529 Waxberry Drive, Seven Hills, who is seeking to open a Residential Care Facility (Group Home) 24 hours 5-6 residents. (2/5/19 PC Tabled) (§1927.02 / §1915.24) – (Adm. Code 5122-30-01 / 5122-30-03 / 5122-30-11 / 5122-30-14)]

(2/19/19 Council unanimously denied the tabled application)