

Planning Commission met for the Work Session at Bedford City Hall on Tuesday, September 8, 2021 at 5:30 p.m.

Present: Briggs, Mowery, Powers, Mallis, and Williams. Absent: None.

Also Present: Secretary Tracy Simons and Building Commissioner Calvin Beverly.

The Commission had no corrections to the July 20, 2021 Work Session or Regular Minutes.

**Steven G. Maier, Attorney at Law, 529 East Washington St. Suite 200 Chagrin Falls, OH 44022** representing K.M.M. Properties of Cleveland, LLC is requesting the rezoning of parcel 814-28-014 parcel split as well as the existing rear portion of parcel 814-29-006 from R-2 to I-1. Mr. Beverly stated that the gentleman just needs parking and that he also stated that it goes from an R-2 to I-1. City Manager Mallis stated that the RV business has gotten huge and that they are behind him.

**Fluent Solar 2578 W. 600 North Ste. 100 Lindon, UT, 84042, representing Michael & Kelsey Haggerty, owners 133 Powers Rd. Bedford, OH 44146** is requesting a zoning permit to install roof mounted solar photovoltaic system on the Southwest side (front) and Northwest side of the dwelling. Mr. Beverly stated that anywhere in the City solar panels you need a permit and the ordinance stated they can't be on the front of the house, also that Mr. Haggerty has a hardship due to trees in his backyard. He also stated that he does not have a problem with it and the fact that he is at the end of the road and no one will see it.


**Mr. Robert Burda 714 Northfield Rd., Bedford, OH 441246** is requesting a variance to the City of Bedford Codified Ordinance 1913.07 (o) which in parts states "The total of all garages on a lot shall not exceed 1,100 square feet unless approved by the Planning Commission." Mr. Burda's lot size is 14,250 square foot. Mr. Beverly stated that he has more than enough land and that he did not show additional structures and to ask Mr. Burda about the additional structures and that he cannot exceed more than 30%. He also stated that he went off of what was brought to him.

**Life Storage LP, 6467 Main St., Williamsville, NY 14221** is requesting a conditional use approval in accordance with City of Bedford Codified Ordinance 1937.03 (d) to utilize the parcel's 814-34-006, 814-34-007 located in B-2 Zoning District and parcel 814-22-020 located in R-2 Zoning District parcels known as 1405 Broadway Ave. to construct (2) two (3) three story self-storage facilities. See City of Bedford Codified Ordinance 1305.09 regarding new structures. Mr. Beverly stated that this is the old car wash and Life Storage want to construct (2) two self storage units (3) stories tall. He also stated that his recommendation to Council would be to rezone it to an R-2. City Manager Mallis stated that his concern is the size of the buildings and that they are close to the school.

Meeting adjourned at 5:50 P.M.

Bedford, Ohio

September 8, 2021

  
Secretary

  
Vice-Chairman

Date: October 5, 2021

Planning Commission met for the Regular Session at Bedford City Hall on Wednesday, September 8, 2021 at 6:01 p.m. The roll was called. Present: Briggs, Mallis, Mowery, Powers, and Williams. Absent: None. Also, in attendance was Building Commissioner Calvin Beverly.

Motion made by Powers and seconded by Mowery to approve the minutes of the Work Session of July 20, 2021 with the change that Mr. Mallis was absent and Ms. Williams was present. The roll was called. Vote – Yeas: Briggs, Mowery, Powers, and Williams. Nays: Mallis. Abstain: Mallis. Motion carried.

Motion made by Williams and seconded by Powers to approve the minutes of the Regular Meeting of July 20, 2021. The roll was called. Vote – Yeas: Briggs, Mowery, Powers, and Williams. Nays: None. Abstain: Mallis. Motion carried.

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.

**Steven G. Maier, Attorney at Law, 529 East Washington St. Suite 200 Chagrin Falls, OH 44022 representing K.M.M. Properties of Cleveland, LLC is requesting the rezoning of parcel 814-28-014 parcel split as well as the existing rear portion of parcel 814-29-006 from R-2 to I-1**

Present: Steven G. Maier, Attorney at Law, 529 East Washington St. Suite 200 Chagrin Falls, OH 44022

Mr. Maier stated that he is there on behalf of K.M.M Properties of Clevelenad, LLC and that some facts have changed since his original appeal. He continued to state that Mr. Magio proceeded to closing and that he is now the owner of the split parcel and that he did this in hopes that it would be approved. He continued to state that Mr. Magio has been running his business in Bedford for a number of years and it is a productive business. He stated that over the years Mr. Magio has had a relationship with his neighbors Mr. & Mrs. Hurtuk, who originally sold him the rear protion of their property a number of years ago. He continued to stated that Mr. Magio and his neighbor came to a deal for another portion and that is the portion that is before you tonight. He stated that K.M.M would like the blessing from this board to be able to run his business on this split parcel.

Motion made by Mowery and seconded by Mallis to approve a the request for the rezoning of parcel 814-28-014 parcel split as well as the existing rear portion of parcel 814-29-006 from R-2 to I-1

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

Ms. Briggs stated this new business will go before Council at the next Council Meeting on Monday, September 20, 2021 at 8:00 p.m. in Council Chambers. She continued to state that if you would like to be present just in case Council did ask a question you would be able to provide an answer and this way there is no delay.

**Fluent Solar 2578 W. 600 North Ste. 100 Lindon, UT, 84042, representing Michael & Kelsey Haggerty, owners 133 Powers Rd. Bedford, OH 44146 is requesting a zoning permit to install roof mounted solar photovoltaic system on the Southwest side (front) and Northwest side of the dwelling.**

Present: Michael Haggerty, 133 Powers Rd. Bedford, OH 44146

Mr. Haggerty stated that they are looking to get solar power and Fluent Solar seemed as one of the best places to go. He stated that they are looking to get it installed and that there is a permit that is needed. Mr. Powers stated the Commission did not have a problem with it or the location. Mrs. Briggs stated that from the drawings it looks like the front of the house that the angles that the panels would be placed are away from the neighbors next door and it won't be visible from the street.

Motion made by Powers and seconded by Williams to approve a zoning permit to install roof mounted solar photovoltaic system on the Southwest side (front) and Northwest side of the dwelling.

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

Ms. Briggs stated this new business will go before Council at the next Council Meeting on Monday, September 20, 2021 at 8:00 p.m. in Council Chambers. She continued to state that if you would like to be present just in case Council did ask a question you would be able to provide an answer and this way there is no delay.

**Mr. Robert Burda 714 Northfield Rd., Bedford, OH 441246 is requesting a variance to the City of Bedford Codified Ordinance 1913.07 (o) which in parts states “The total of all garages on a lot shall not exceed 1,100 square feet unless approved by the Planning Commission.” Mr. Burda’s lot size is 14,250 square foot.**

Present: No one was present.

Motion made by Powers and seconded by Mallis to table a variance to the City of Bedford Codified Ordinance 1913.07 (o) which in parts states “The total of all garages on a lot shall not exceed 1,100 square feet unless approved by the Planning Commission.” Mr. Burda’s lot size is 14,250 square foot.

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

**Life Storage LP, 6467 Main St., Williamsville, NY 14221 is requesting a conditional use approval in accordance with City of Bedford Codified Ordinance 1937.03 (d) to utilize the parcel’s 814-34-006, 814-34-007 located in B-2 Zoning District and parcel 814-22-020 located in R-2 Zoning District parcels known as 1405 Broadway Ave. to construct (2) two (3) three story self-storage facilities. See City of Bedford Codified Ordinance 1305.09 regarding new structures.**

Present: Dan Schwanza, Life Storage LP, 6467 Main St., Williamsville, NY 14221 and Dustin Keeny, Polaris Engineering and Surveying, 34600 Chardon Rd., Willoughby Hills, OH 44094

Mr. Schwanza stated that they are seeking approval to expand their operations. He stated that they currently operate the facility and they are trying to purchase the now closed car wash parcel and build in two phases. He continued to state that the first phase would be a three (3) story building similar to what is already built back in 2016. He stated that the second phase may or may not happen five (5) or six (6) years from now.

Mr. Keeny stated that it is made up of three parcels and two of the three parcels are zoned B-2 and the other parcel is an R-2. He stated that the existing curb cut would be used as an exit with a control gate. He stated that the rest of the area they would remove the existing paving and landscape the area to dress up the corner. He stated that the rest of the property would be buildings.

Mr. Powers stated that he is concerned with the height of the building being that it is so close to the street and that there is a school and houses next to the property. Mr. Schwanza stated that they are trying to get the best option for the property and to utilize the space that's there. He continued to state that they are working with the design to break up that façade and to keep the grass stripe down along the street. He also stated that they are open to suggestions for things that they might want to see to break up that façade to lessen the impact that they are talking about. Mr. Powers inquired about the colors and Mr. Schwanza replied that they would try and maintain what they built on the other three (3) story building on the other side. Mr. Powers inquired about storage in the building with it being so close to the schools and the way the society is now with them storing things and Mr. Schwanza replied that they have a very strict policy and obviously we can't watch every item that someone brings into it. Mr. Schwanza stated that there is a very strict policy against fuel items, explosives, and fire arms that is stated in the lease that is not allowed. He also stated that they are utilizing the unit more to a commercial nature, file storage, and pharmaceutical representatives utilizing the property. Mr. Mowery inquired if the company would have access to the storage units as an operator and Mr. Schwanza replied that if they felt the need to get into the unit for a safety concern, or complaints about liquids we have to give them a seven (7) day notice and then we could access the unit if we felt the need too. He continued to state or if it was for a suspected criminal nature then we would involve the local authorities. Mr. Mallis stated that he is glad that they do have that policy in place that it is not permitted. Mr. Schwanza stated that they are active members in the community where ever we are, but the store managers are enthralled on how they operate and maintain the property. Mr. Keeny stated that the height on the corner piece to maybe break up the view coming from the northwest side we could do a little bit of mounding and if anybody had any ideas to try and block that view. Mr. Powers stated that maybe some tall trees by the playground and do see a different rendition of landscaping plans. He also inquired about any other decorative plans such as panels that can be put on the buildings before he said yes he would like to see that.

Mr. Beverly stated that tonight's meeting is simply for the conditional use and not to approve the structures themselves. He stated that they would have to submit colored renderings of the actual structures as they were proposing to build them to the Planning Commission at a separate meeting. He stated that tonight's meeting is to determine a conditional use. Mr. Mallis stated

that this is a recommendation and it would go to Council, so if the Planning Commission approves or deny ultimately it's City Councils choice and that these same questions will come up regardless. He stated that it might be something to think about as far as a plan with those house being right there to have it a possible share the City Council.

Mr. Beverly state that on sheet 80.1 you are showing phase one as 40,950 square foot and on the preliminary plan sheet 01 you are showing the same building as 38,768 square foot, with a difference of almost 2,000 square foot. Mr. Schwanza stated that they will verify it and make sure that all of our documents conform with each other. Mr. Keeny stated that the 40,950 square foot is the one that came from the architect and Mr. Beverly stated that the 40,950 square foot is the correct one and Mr. Keeny stated yes.

Mr. Mowery inquired if they would still go ahead with the plan if it was two (2) stories and Mr. Schwanza replied that they would have to recalculate the numbers and that they still need to buy the parcel. Mr. Schwanza stated that as far as the rendering in the esthetics is the landscaping from that corner. Mr. Mowery stated that is the gateway to the City of Bedford right there. Mr. Schwanza stated that they have been working with architectural panels and a masonry accent to break up the façade and maybe they will come back with some additions in that way to the point of being the gateway to Bedford. Mrs. Briggs stated that with three (3) stories everything else around it is much lower and to her it would look like it would match or fit with everything else, everything else is one story. She also stated that she has a problem with how high it will be.

Motion made by Powers and seconded by Mallis to approve Life Storage LP, a conditional use approval in accordance with City of Bedford Codified Ordinance 1937.03 (d) to utilize the parcel's 814-34-006, 814-34-007 located in B-2 Zoning District and parcel 814-22-020 located in R-2 Zoning District parcels known as 1405 Broadway Ave. to construct (2) two (3) three story self-storage facilities. See City of Bedford Codified Ordinance 1305.09 regarding new structures.

The roll was called. Vote – Yeas: Powers. Nays: Briggs, Mallis, Mowery, and Williams. Motion carried with One Yea and Four Nays.

Ms. Briggs stated this new business will go before Council at the next Council Meeting on Monday, Monday 20, 2021 at 8:00 p.m. in Council Chambers. She continued to state that if you would like to be present just in case Council did ask a question you would be able to provide an answer and this way there is no delay.

#### ADJOURNMENT

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

Meeting adjourned at 6:26 P.M.

Bedford, Ohio

September 8, 2021

  
Secretary

  
Vice-Chairman

Date: October 5, 2021