

**REGULAR MEETING
AGENDA**

**PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA**

**DATE: August 18, 2015
TIME: 6:30 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 August 4, 2015 (roll call)
 - b. Approval of Minutes of the Regular Meeting of August 4, 2015 (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. Ardell Coleman, 19605 Beverly Ave., Maple Hts., OH/Frank Denifis, 6945 Chapel Hill Dr., Brecksville, OH is seeking to open 3 Kings Barber Shop located at 692 Broadway Ave, Bedford, OH – 1944.051 Conditional Uses (roll call)
 - b. Candice Brothers, 1925 St. Clair NE, Cleveland, OH/Betsy Lee 76 Palmetto Rd., Bedford, OH is seeking to install a roof mounted Solar Photovoltaic System at 76 Palmetto Avenue – 1961.03 Conditional Accessory Use, 1961.04 Application for Zoning Permit, 1961.05 Review of Zoning Permit Application (roll call)
 - c. Chris Chubbuck, Royce Allen Construction, 946 Elmwood Dr., Macedonia, OH – Bentbrook Development is seeking to construct 18 single family homes in Phase I without sidewalks (roll call)
5. **MISCELLANEOUS**
6. **ADJOURNMENT**
(roll call)

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(Planning Commission Minutes and Agendas posted at www.bedfordoh.gov)**

Bedford, Ohio

August 18, 2015

Planning Commission met in a Work Session at Bedford City Hall on Tuesday, August 18, 2015 at 6:00 P.M.

Present: Dickard, Dzomba, Powers, Briggs, Mallis. Absent: None. Also Present: Secretary Lorree Villers, Law Director John Montello, Building Commissioner Calvin Beverly and Mayor Stan Koci.

The Commission did not have any issues with the minutes of the Work Session or the Regular Meeting minutes of August 4, 2015.

Ardell Coleman, 19605 Beverly Ave., Maple Hts., OH/Frank Denifis, 6945 Chapel Hill Dr., Brecksville, OH is seeking to open 3 Kings Barber Shop located at 692 Broadway Ave, Bedford, OH – 1944.051 Conditional Uses

Mr. Beverly explained this applicant wished to open an upscale men's salon in the Historical District. Previously Council had turned down the recommendation of a similar business because Council had a different vision of what they wanted the downtown area to be transformed into. Discussion was held that this area was becoming saturated with the same type of businesses and competition would possibly set a new company up to fail. One thing the City wanted was flourishing businesses. Again, Mr. Mallis mentioned the downtown district was becoming saturated with these types of business and it would be best to honor Council's wishes. The Commission would listen to the applicant at the regular meeting and determine what they felt was beneficial.

Candice Brothers, 1925 St. Clair NE, Cleveland, OH/Betsy Lee 76 Palmetto Rd., Bedford, OH is seeking to install a roof mounted Solar Photovoltaic System at 76 Palmetto Avenue – 1961.03 Conditional Accessory Use, 1961.04 Application for Zoning Permit, 1961.05 Review of Zoning Permit Application

Mr. Beverly explained the applicant wished to install/attach a roof mounted solar photovoltaic system to her home on Palmetto Avenue. The Commission had concerns regarding the weight and if the home could support the structure safely. Mr. Beverly said he had not received the paperwork/plan pertaining to the installation. The resident would also be selling electricity back to the utility company which was tied into the grid. The Commission had a few questions for the applicant.

Chris Chubbuck, Royce Allen Construction, 946 Elmwood Dr., Macedonia, OH – Bentbrook Development is seeking to construct 18 single family homes in Phase I without sidewalks

Mr. Beverly explained Chris Chubbuck representing Royce Allen Construction withdrew his application prior to the March 17, 2015 meeting and did not show at the April 21, 2015 meeting. He said the applicant was eager to start the first of two phases for this development. Phase I would be 18 single family homes and Phase II would be 20 single family homes. This specific development was started and designed years ago as a Home Owners Association (HOA) per its guidelines/requirements but was never completed so this project was going to be developed similar to the HOA requirements but without being an actual HOA. It was determined there were a few lots that would need to be addressed by the Board of Zoning Appeals because of their small size; however, a few of the lots were going to be bigger than originally planned which was not an issue. It was understood Mr. Mallis, Mr. Beverly, Mr. Bellar, Mr. Ciuni and the Chiefs did not see an issue with the project being designed using the HOA guidelines/requirements for the narrower dead-end street(s), the omission of sidewalks and driveway lights. The Chiefs did not have any safety issues with the development's design. There were other narrow dead-end streets currently in the City that the rubbish haulers/safety vehicles had to pull down and back out or turn around so the need for a cul-de-sac was not necessary. The narrow dead-end streets had fewer homes on them than other streets so traffic was not an issue. As far as sidewalks being installed, some of

the current City streets did not have sidewalks so this development was not required to have them. It was determined the streets would become dedicated streets and snow removal would be done with the smaller plow trucks as done throughout certain areas of the City. This specific development would not have street lights but a lamp post tastefully located at the end of each drive. The Commission suggested the driveway lights be put on a photo-optic sensor so the lights would be on all night for safety reasons. They did not want to leave the decision of burning the lights at the end of the drives up to the homeowner. Mr. Beverly agreed and would make sure a switch was installed in the garage near the overhead garage door. It was determined Mr. Chubbuck would have to schedule other meetings to address the lot sizes, setbacks or any required variances and/or any other possible issues. The Commission wondered if the two (2) homes located on Lots #16 and #17 at the end of one of the streets could have a turnaround installed in the yards because there was no place for the homeowner to back out of their drive; the homes were situated oddly on the lot. Mr. Montello assured everyone Mr. Ciuni the City Engineer did not have any issues with this new development. Mr. Mallis hoped all the homes would be three (3) bedroom dwellings. Mr. Powers noticed there was no green space or any common areas. He also suggested commercial lights be installed because it could be done simply by trenching. The Commission had a few questions for Mr. Chubbuck this evening.

Work Session adjourned at 6:30 P.M.



Secretary



Chairman

Bedford, Ohio

August 18, 2015

Planning Commission met in Regular Session at Bedford City Hall on Tuesday, August 18, 2015 at 6:31 P.M. The roll was called. Present: Dickard, Dzomba, Powers, Briggs, Mallis. Absent: None. Also in attendance was Building Commissioner Calvin Beverly and Law Director John Montello.

Motion made by Mallis and seconded by Dzomba to approve the minutes of the Work Session of August 4, 2015. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Motion made by Briggs and seconded by Dzomba to approve the minutes of the Regular Meeting of August 4, 2015. 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.

Ardell Coleman, 19605 Beverly Ave., Maple Hts., OH/Frank Denifis, 6945 Chapel Hill Dr., Brecksville, OH is seeking to open 3 Kings Barber Shop located at 692 Broadway Ave, Bedford, OH – 1944.051 Conditional Uses

Present: Ardell Coleman, 19605 Beverly Ave., Maple Hts., Ohio and Frank Denifis, 6945 Chapel Hill Drive, Brecksville, Ohio.

Alfred Coleman (father) and Ardell Coleman (son), previously sworn in, explained the business would be run by his son Ardell. This would be an upscale barbershop catering to men and one station massaging chair. Ardell Coleman would be managing the barbershop. The 3 Kings meant he and his two sons would be running/managing the barbershop. Mr. Mallis asked since there were other similar businesses in the area how Mr. Coleman planned on competing with the other businesses. Mr. Ardell explained the barbershop would offer: facials, manicures, pedicures, shoe shines, haircuts and a massage chair. His son's cliental would have no problem following him wherever he had his business; he also performed services on professional sports players. Currently the business had a waiting list plus they offered a discount to the Bedford students. He was not worried about competition.

Motion made by Briggs and seconded by Dzomba to approve barbershop for Ardell Coleman, 19605 Beverly Ave., Maple Hts., OH/Frank Denifis, 6945 Chapel Hill Dr., Brecksville, Ohio who was seeking to open 3 Kings Barber Shop located at 692 Broadway Ave, Bedford, Ohio subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs. Nays: Mallis. Motion carried.

Candice Brothers, 1925 St. Clair NE, Cleveland, OH/Betsy Lee 76 Palmetto Rd., Bedford, OH is seeking to install a roof mounted Solar Photovoltaic System at 76 Palmetto Avenue – 1961.03 Conditional Accessary Use, 1961.04 Application for Zoning Permit, 1961.05 Review of Zoning Permit Application

Present: Cody Cooper, Certified Senior Solar Consultant, for Betsy Lee of 76 Palmetto Avenue, Bedford, Ohio.

Cody Cooper, Certified Senior Solar Consultant, previously sworn in, explained the unit would be installed on the back of Ms. Lee's roof where it was pretty much secluded. The unit would be in accordance with the Building Codes. Mr. Dzomba questioned the weight of the unit and if it would be

safe to install it to Ms. Lee's roof. Mr. Cooper explained every home was inspected structurally and the condition of the shingles prior to any installations. If the shingles needed to be replaced the company would inform the customer. A Structural Analysis Report was conducted if it were deemed by the specific City's Building Code along with a permit. Roofing and reroofing was also offered by Candice Brothers if the customer was in need of a roof. If Candice Brothers replaced the roof the customer's labor to uninstall and reinstall the unit otherwise there would be a fee. Mr. Powers asked if there was some type of surge protector for the unit. Mr. Cooper explained to the best of his knowledge that there were breakers and grounding inserts in each panel. Mr. Beverly would be performing the inspection and if he had additional questions he would need to call the office.

Motion made by Mallis and seconded by Powers to approve the Candice Brothers, 1925 St. Clair NE, Cleveland, OH/Betsy Lee 76 Palmetto Rd., Bedford, OH who was seeking to install a roof mounted Solar Photovoltaic System at 76 Palmetto Avenue 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.

Chris Chubbuck, Royce Allen Construction, 946 Elmwood Dr., Macedonia, OH – Bentbrook Development is seeking to construct 18 single family homes in Phase I without sidewalks

Present: Chris Chubbuck, Royce Allen Construction, 946 Elmwood Dr., Macedonia, Ohio and Matt Neff, GPD Group Engineer, Senior Project Manager.

Matt Neff, previously sworn in, explained the intent was to develop the development in a very similar manner as submitted years ago. He was seeking approval for a cluster development, an R-2 single family development. Mr. Neff requested the development to include the following: 1) re-allotting the remaining Phase 1 development into 18 sub lots, 2) the need for front yard variances, 3) the need for a rear yard variance for sub lot #15, 4) the roadways become City dedicated streets, 5) omission of sidewalks, and 6) elimination of street lights with the addition of a post light at each driveway. He originally worked on this project in 2007 with another developer. Mr. Beverly asked who would be responsible for maintaining the driveway post lights and the Commission requested the lights be photo-optic sensor. Mr. Mallis explained the reason was because if a resident/homeowner chose not to turn on their driveway post lights the streets would be very dark; the Commission suggested the driveway lights be put on a photo-optic sensor so the lights would be on all night for safety reasons. Mr. Beverly said the switch would be located in the garage marked as an emergency disconnect in case there was a need for repairs. It was understood one story homes had six (6) foot side setbacks and two story homes would be eight (8) feet. The demo home was 1-½ story with a six foot side setback. Mr. Dzomba asked if all the homes would have basements. Mr. Chubbuck, previously sworn in, said that was a homeowner's option; however, he preferred all the homes have basements. Mr. Powers questioned the two homes located on Lots #16 and #17 because the homes were situated oddly on the lot. It appeared the homeowner needed a place to turn around their vehicles after they backed out of the garage. Mr. Neff and Mr. Chubbuck said these two specific homes could be situated differently on the lot and a turnaround installed. It was determined the allotment would have an asphalt "Y" turnaround (not gravel) and not a "T" or cul-de-sac. It was determined that only one street in Phase 1 that would not have parking on the street; the other streets were 20-24 feet in width. The corner home located at the corner of Willard and Hubbell would be contacted to see if they were interested in trading/selling the sliver of property necessary for the street in return for a larger backyard. The exact footage was not known at the meeting.

Motion made by Mallis and seconded by Dzomba to approve the Chris Chubbuck, Royce Allen Construction, 946 Elmwood Dr., Macedonia, OH – Bentbrook Development who was seeking to construct 18 single family homes in Phase I without sidewalks contingent on the following: 1) approval of

all the variances from the Board of Zoning Appeals and 2) the agreement with the property owner at the corner of Willard and Hubbell subject to compliance with all city codes and ordinances.

Mr. Neff asked if another application needed to be submitted for the Board of Zoning Appeals. Mr. Beverly and Mr. Montello explained there was a 30-45 day posting that was necessary. Mr. Neff said he couldn't record the plat until the variances were finalized. Mr. Montello suggested they start with the homes that had no issues/variances. Mr. Montello would follow up with the applicant after he did some research on Wednesday, August 19, 2015.

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

Secretary Villers noted the decision of the Planning Commission was not final. These items would be placed on the September 8, 2015 Council agenda for consideration.

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 7:04 P.M.



Secretary



Chairman