

Bedford, Ohio

May 19, 2015

Planning Commission met in a Work Session at Bedford City Hall on Tuesday, May 19, 2015 at 6:01 P.M.

Present: Dickard, Dzomba, Powers, Mallis. Absent: Briggs. Also Present: Secretary Lorree Villers, Law Director John Montello, Building Commissioner Calvin Beverly.

The Commission did not have any issues with the minutes of the Work Session or the Regular Meeting minutes of April 21, 2015.

Drive Time (KS Associates, Inc. as agent), 4020 East Indian School Rd, Phoenix, AZ – Ghazzan Azzi 6229 Coldstream Rd., Highland Hts, OH is seeking to display used motor vehicles located at 19900 Rockside Rd. (P.P. 811-07-020) – 1938.02 Permitted Uses

Mr. Montello informed the Commission that since the project was on Bedford and Maple Heights properties some of the residents and Council persons had concerns for the brightness and direction of the parking lot lighting. Mr. Dzomba questioned the type and location of any fencing as the Commission was unclear if they were constructing a fence between the muffler business next door and the residents located at the rear of the property. Mr. Beverly reminded the Commission and Mr. Montello that wasn't their focus this evening and if these types of things needed addressed it would be done accordingly. It was determined it would be best if Drive Time utilized the existing egress/ingress to both the Bedford former donut location and the Maple Heights Honey Baked Ham location as these drives had been there for a long time and presented no safety concerns; however, the previous discussed right in and right out drive would remain as discussed on January 6, 2015. Utilizing all the drives would not affect the traffic flow and would allow easier egress/ingress for cars and vehicle deliveries. The Commission and Mr. Montello were satisfied with the application as presented.

Lamont Robinson, 3465 Green Rd, Beachwood OH is seeking to open an upscale Barber Shop & Spa located at 717 Broadway Ave, Bedford, OH – 1944.051 Conditional Uses

Mr. Beverly, Mr. Montello and the Commission thought there were currently two beauty salons and two barber shops located in the downtown district. They questioned if another business providing the same services would fail because of the existing competition. The Commission needed clarification on the difference between a barber shop and an "upscale" barber shop; however, they did notice the application mentioned a spa. Mr. Mallis explained the Administration and Council for years has been trying to determine a plan to revitalize the downtown area with shops so it would become a future destination. Mr. Montello mentioned it was a conditional use and the Commission would have to state their conditions if they had any in the motion for clarification. The Commission did not list any conditional uses.

The next two (2) applications were for 22900 Rockside Road location. Mr. Tirgan, the property owner, submitted an application as a secondary request in case Mr. Harris' application was denied for the auto detail shop.

Curt Harris, 932 Broadway Ave., Bedford, OH is seeking to open an Auto Detail Shop located at 22900 Rockside Rd., – 1393.02 Permitted Uses

Mr. Beverly explained the situation of the two different application requests. The Commission had no issues or concerns with Mr. Harris' application request as long as there were no used car sales and it was strictly a detail shop. A business in this location would be a benefit.

M. Ali Tirgan, 5705 Ledge Brook Lane, Solon, OH is seeking approval to reestablish a Gasoline Service Station located 22900 Rockside Road – 1393.03 Board Approved Uses

It was determined if Mr. Tirgan was still interested in allowing Mr. Harris who was seeking to open a detail shop he would have to state for the record and withdraw his application. The withdrawal of the service station application would make it clear of his intent. The Commission had no issues with either business application as long as there were no used car sales.

Work Session adjourned at 6:26 P.M.


Secretary


Chairman

Bedford, Ohio

May 19, 2015

Planning Commission met in Regular Session at Bedford City Hall on Tuesday, May 19, 2015 at 6:30 P.M. The roll was called. Present: Dickard, Dzomba, Powers, Mallis. Absent: Briggs. Also in attendance was Building Commissioner Calvin Beverly and Law Director John Montello.

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

Motion made by Dzomba and seconded by Powers to approve the minutes of the Work Session of April 21, 2015. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Mallis. Nays: None. Motion carried unanimously.

Motion made by Mallis and seconded by Dzomba to approve the minutes of the Regular Meeting of April 21, 2015. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, 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.

Drive Time (KS Associates, Inc. as agent), 4020 East Indian School Rd, Phoenix, AZ – Ghazzan Azzi 6229 Coldstream Rd., Highland Hts, OH is seeking to display used motor vehicles located at 19900 Rockside Rd. (P.P. 811-07-020) – 1938.02 Permitted Uses

Present: Joseph Morbitzer, P.E., agent of KS Associates, Inc., 260 Burns, Suite 100, Elyria, Ohio 44035.

Joseph Morbitzer, previously sworn in, explained the parcels were contiguous P.P. 811-07-020 and P.P. 811-07-021. Mr. Morbitzer was before the Planning Commission on January 6, 2015 for the same project. The parcel this evening P.P. 811-07-020 was referred to as the old donut shop location which they were interested in purchasing if this application was approved. He showed a drawing outlined in red that revealed a board on board fence with existing vegetation at the rear of the property which abutted the Maple Heights residents and no fence along the side next to the muffler shop. The use of the driveway at the old donut shop would be utilized for easy ingress/egress and would not affect the traffic flow or be a safety issue plus it was a shared curb cut with the neighboring business. The existing donut shop building would be demoed/razed and a portion of the concrete pavement but mostly the existing pavement would remain in place and used for the display of used motor vehicles. Mr. Montello introduced one of the Maple Heights Councilwomen who was in attendance this evening that had concerns regarding the type of pole lights that would be installed on the Bedford property. Mr. Morbitzer assured everyone that the two (2) light poles being used would not affect the Maple Heights residents. The light poles would be along Rockside Road and by the time the light illumination reached the fence/property lines it would be very dim. He clarified the proposed lighting would be two additional poles with photometric lights and the foot candles would be close to zero by the time it reached the fence. Mr. Beverly clarified Mr. Morbitzer would submit additional drawings and information to the Building Department for review. He added the construction documents showed the photometric lights and the lights would not affect the Maple Heights residents. Mr. Montello asked Mr. Morbitzer to speak to the Councilwoman from Maple Heights before he left the building to answer any questions or concerns she may have.

Motion made by Dzomba and seconded by Mallis to approve the application of Drive Time (KS Associates, Inc. as agent), 4020 East Indian School Rd, Phoenix, AZ – Ghazzan Azzi 6229 Coldstream Rd., Highland Heights, Ohio who was seeking to display used motor vehicles located at 19900 Rockside Road (P.P. 811-07-020) subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Mallis. Nays: None. Motion carried unanimously. Clerk Villers noted the decision of the Planning Commission was not final, the item would still need to be considered by Council at the June 1, 2015 Regular Meeting at 8:00 p.m.

Lamont Robinson, 3465 Green Rd, Beachwood OH is seeking to open an upscale Barber Shop & Spa located at 717 Broadway Ave, Bedford, OH – 1944.051 Conditional Uses

Lamont Robinson, previously sworn in, explained it was an upscale establishment creating a positive environment for the neighborhood and customers. He had a letter of recommendation from a Shaker Heights Councilman if the Commission chose to accept it. The Commission did not ask for the letter. He currently managed his own Barber Shop in Cleveland Heights for the past 22 years and he currently resided in Beachwood, Ohio. Mr. Montello pointed out that there were other barber shops and beauty salons in the immediate area. Mr. Robinson only noticed one in the Historical District. He clarified the proposed barber shop and salon would provide pedicures, manicures, massages and haircuts for men. Mr. Mallis explained in 2014 Council made changes in the Zoning Code to prohibited tattoo shops and making salons and barber shops “conditional uses”. Council’s focus was to limit these types of businesses in one location so the existing businesses could be successful. Council also pushed to bring more retail, music and art type stores into the Historical District. At this time, Mr. Montello reviewed Chapter 555 “Massage Establishments” in the Codified book since Mr. Robinson mentioned there would be massage services available at this location. Mr. Robinson stated if the massage portion of the business affected his application he would remove it from the list of services. He currently provided services to doctors, lawyers and councilmen. Mr. Mallis was impressed with the letter of accomplishments of Mr. Robinson being a single father that he attached to the application. (See attached) Mr. Robinson explained the opportunity arose when his cousin opened up her business [Dornee] in Bedford a couple doors down where she sold body products. Mr. Montello checked Chapter 555 of the Codified and informed Mr. Robinson he would have to address the massage portion of his business differently per stated in the Ordinances through the Police Department. It was mentioned there was a Chiropractor also in the Historical District that may have similar services. Mr. Robinson was willing to remove the massage service from his list of services.

Motion made by Powers and seconded by Dzomba to approve the application of Lamont Robinson, 3465 Green Rd, Beachwood, Ohio who was seeking to open an upscale Barber Shop & Spa located at 717 Broadway Avenue, Bedford, Ohio subject to compliance with all city codes and ordinances.

The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Mallis. Nays: None. Motion carried unanimously. Clerk Villers noted the decision of the Planning Commission was not final, the item would still need to be considered by Council at the June 1, 2015 Regular Meeting at 8:00 p.m.

Curt Harris, 932 Broadway Ave., Bedford, OH is seeking to open an Auto Detail Shop located at 22900 Rockside Rd., – 1393.02 Permitted Uses

Curt Harris, previously sworn in, allowed the landlord of the property to speak prior to his presentation. Dr. M. Ali Tirgan explained he had owned the property 16 years ago and it had been vacant for several years. He has had problems trying to rent and/or sell the property because of the limitations and/or zoning of the property. Mr. Mallis clarified the reason the applications were denied were because the request was for strictly “used auto sales”; there were requirements for used auto sales. Dr. Tirgan stated he paid \$7,000 annually in property tax so with it being vacant he’s losing money. He talked about the lack of businesses in the area and hoped the Commission would approve this shop so it could be occupied. Mr. Montello told Dr. Tirgan the Commission had no immediate issues with the application of Mr. Harris but they needed to hear Mr. Harris’ presentation before a decision could be made. He stressed the Administration and Commission were strongly against the sale of used vehicles on this property. Dr.

Tirgan mentioned if the Commission was not interested in the Detail Shop then he would like to give his presentation regarding a service station in this location. Dr. Tirgan understood the request and turned the floor over to the renter Mr. Harris. Mr. Beverly stated auto mechanic and auto repair was only an accessory use to an improved use and would not be prohibited. Mr. Montello asked Dr. Tirgan if he was willing to withdraw his application if Mr. Harris' Detail Shop was approved. Dr. Tirgan replied yes and thanked the Commission.

Mr. Harris, previously sworn in, explained the Detail Shop would strictly be for washing, waxing the detailing vehicles; not selling used cars. He graduated from Bedford High School in 2001 and currently owned a detail shop which he was willing to move to this location. He wanted to get involved with the Bedford students in mentoring them in order to show them how to work, make money and keep them out of trouble. He currently washed the Village of Oakwood's Police vehicles and offered the same service to Bedford's Police vehicles. Mr. Mallis told Mr. Harris to contact Mr. Beverly regarding any codes and ordinances.

Motion made by Mallis and seconded by Dzomba to approve the application of Curt Harris, 932 Broadway Avenue, Bedford, Ohio who was seeking to open an Auto Detail Shop located at 22900 Rockside Road subject to compliance with all city codes and ordinances.

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

Clerk Villers noted the decision of the Planning Commission was not final, the item would still need to be considered by Council at the June 1, 2015 Regular Meeting at 8:00 p.m.

M. Ali Tirgan, 5705 Ledge Brook Lane, Solon, OH is seeking approval to reestablish a Gasoline Service Station located 22900 Rockside Road – 1393.03 Board Approved Uses

Dr. M. Ali Tirgan stated he was formally withdrawing his application since the Detail Shop was approved by the Commission. He was very pleased.

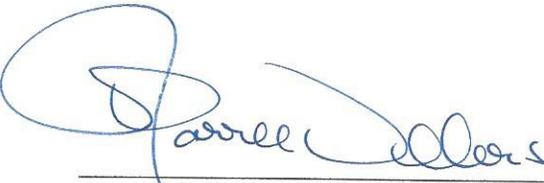
Motion made by Mallis and seconded by Dzomba to withdraw the application as requested by Dr. M. Ali Tirgan, 5705 Ledge Brook Lane, Solon, Ohio who was seeking approval to reestablish a Gasoline Service Station located 22900 Rockside Road.

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

Meeting adjourned at 6:57 P.M.



Secretary



Chairman