

**BEREA MUNICIPAL PLANNING COMMISSION**  
**MARCH 19, 2009**

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The Berea Municipal Planning Commission met on March 19, 2009 and was called to order by Mr. Madzy. Present: Borowski, Draves (arrived @ 7:35 p.m.), Madzy, Rump, Sawyer. Absent: Fay. Also Present: Tony Armagno, City Engineer.

This meeting was held in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and Chapter 109 of the Codified Ordinances of the City of Berea.

Moved by Sawyer, seconded by Borowski to approve the minutes from the February 19, 2009 meeting. Vote on motion was all ayes; no nays. The minutes were approved.

Witnesses were sworn in by Mr. Madzy.

**REQUESTS FOR VARIANCES/APPEALS:**

**Application #09-03-01**

**Approval of Variances to Renovate & Expand Existing Building  
AFR Properties, LLC – 352 W. Bagley Road, P.P.#361-10-019**

Mr. Madzy read the Administrative Review. He reported that a revised copy of the plan has been distributed to all Planning Commission members.

The agents John Kleem and Joseph Aoun were present this evening. Mr. Aoun explained that this is the old Marathon Station and they would like to renovate this structure into a new office building. They will use as much of the original structure as they can. Mr. Aoun displayed color renderings of the proposed elevations and site plan. He distributed material samples and stated that they will use cast stone around the windows.

Mr. Rump asked about the size of the parking spaces and suggested that they be made smaller to allow more green space in the front of the building. He said a variance could be given to allow smaller parking spaces. In response to Mr. Rump, Mr. Madzy pointed out that a variance for the size of the parking spaces was not advertised so they would not be able to vote on this tonight. Mr. Sawyer noted that cars do not require 20 feet long spaces anymore and he suggested that the parking spaces be decreased to 16 feet long. This would enable them to push more green space between the sidewalk and the parking lot. Mr. Madzy reported that the applicant is currently six parking spaces over what the code requires. Discussion occurred regarding more green space.

Mr. Kleem indicated that this proposed plan has the required amount of green space per City code and Mr. Rump acknowledged this and stated that they were just trying to get more green space across the front of the property. Mr. Madzy suggested that the aisleway be reduced to 18 feet wide to achieve this.

Rebecca Corrigan, Executive Director of the Berea Community Development Corporation (BCDC), explained that she has been working with AFR Properties for the past eight months. She is in support of this project which will improve the façade of the corridor.

In response to Mr. Rump, Mr. Aoun used the site plan to show where the enclosed dumpster will be located at the back of the building. He stated that the dumpster will be enclosed with a wooden fence or some other suitable screening.

Moved by Draves, seconded by Rump to approve the 8' 6" setback variance for a handicap parking space from a ground floor window, as submitted. Vote on motion was ayes: Borowski, Draves, Madzy, Rump, Sawyer. Nays: None. The motion carried.

Moved by Draves, seconded by Rump to approve a 5' setback variance for parking spaces from front lot line. Vote on motion was ayes: Draves, Madzy, Rump, Sawyer, Borowski. Nays: None. The motion carried.

Moved by Draves, seconded by Borowski to approve an 8' setback variance for a handicap parking space from side lot line, as submitted. Vote on motion was ayes: Rump, Sawyer, Borowski, Draves, Madzy. Nays: None. The motion carried.

Moved by Draves, seconded by Rump to approve the amended site plan with the condition that parking spaces located at the back of the building be shifted so an enclosed dumpster can be installed. Vote on motion was ayes: Sawyer, Borowski, Draves, Madzy, Rump. Nays: None. The motion carried.

### **Application #09-03-02**

#### **Approval of Variance for Monument Business I.D. Sign**

#### **BCM Electrical, LLC – 187 W. Bagley Road, P.P.#364-02-006**

Mr. Madzy read the Administrative Review. The owner, William Moe was present this evening. He distributed a photograph of a sign similar to what he would like to install. The proposed sign will be made of a plastic composite material and will come already made. He reported that he has already pulled a building permit to rehabilitate the structure at 187 W. Bagley Road and will begin rehabbing it in April. He plans to remove the existing front porch in

order to make it look more commercial. This proposed sign will be in line with the other business identification signs in this area.

Mrs. Draves asked if he intends to put landscaping around the sign and Mr. Moe stated yes. There will be no lighting on the proposed sign.

Moved by Draves, seconded by Borowski to approve the 10-foot front setback variance for the business identification sign with the condition that landscaping be placed around the base of the sign. Vote on motion was ayes: Borowski, Draves, Madzy, Rump, Sawyer. Nays: None. The motion carried.

**Application #09-03-03**

**Approval of Variance for Monument Business I.D. Sign  
Bonning & Cahill – 535 Front Street, P.P.#362-14-035**

Mr. Madzy read the Administrative Review and noted that this proposed sign has already been installed. The owners, Patrick Cahill and Frances Bonning were present this evening. Mr. Bonning stated that he would like to install a new sign after the Front Street Railroad Overpass Project is complete.

Mr. Madzy pointed out that the posts on the existing sign stick up higher than the actual sign. He recommended that the posts be cut down. He felt this would be a nice looking sign if this is done. Mr. Bonning said they would put caps on the posts after they cut them down.

Moved by Draves, seconded by Sawyer to approve the 1.33 square foot variance for the sign with the condition that the existing posts be cut down to approximately 6 inches from top of sign and caps be placed on the posts. Vote on motion was ayes: Draves, Madzy, Rump, Sawyer, Borowski. Nays: None. The motion carried.

**NEW BUSINESS – GENERAL PLANNING MATTERS:**

**Application#09-03-04**

**Approval of Conditional Use Permit  
Planet Aid – 451 Front Street, P.P. #364-09-003**

Mr. Madzy swore in the agent, Serina Lopez of Planet Aid. He read the Administrative Review. In response to Mr. Sawyer, Ms. Lopez reported that the Planet Aid container will be placed next to the paper recycling (Abitibi) bin that is already located in the Rec Center parking lot.

Mr. Rump asked Ms. Lopez how many more containers she will be proposing for Berea and Ms. Lopez stated that currently they have one located on W. Bagley Road at the Ready-Set-Grow Daycare Center. She would like to have a container at the City's Rec Center and one located at CVS on Bagley

Road. She mentioned that they are also currently trying to work with the City's schools.

Discussion ensued regarding the location of the container at the Rec Center. Mr. Madzy suggested that the container be placed right up against the building. Mrs. Draves agreed and said she did not want a lot of these containers sitting in the middle of a parking lot. In response to Mrs. Draves, Ms. Lopez said she agreed and she thought the Abitibi container located in the parking lot also looks bad.

Mrs. Draves raised concerns regarding having problems with kids damaging the container at the Rec Center. Ms. Lopez reported that two managers live in this area and the Rec Center will be given their contact information. She said they will also keep in touch with Chris Avery, Director of Recreation and if there are any problems Mr. Avery can give them a call and they will take care of it.

Moved by Rump, seconded by Draves to approve a one-year conditional use permit with the condition that Chris Avery, Director of Recreation, approve the location of the container. Vote on motion was ayes: Rump, Sawyer, Borowski, Draves, Madzy. Nays: None. The motion carried.

**Application#09-03-05**

**Approval of Conditional Use Permit**

**Planet Aid – 212 W. Bagley Road, P.P. #362-09-046, 047, 048, 058**

Mr. Madzy read the Administrative Review. He explained that Planet Aid is proposing to put a donation container on the west side of the CVS building, next to the propane tanks.

Mr. Borowski stated that a Planet Aid container at CVS would not look good. Mrs. Draves agreed and indicated that CVS is not a good location at this time due to the City having many outstanding issues with the CVS property. Discussion ensued.

Moved by Sawyer, seconded by Borowski to approve a one-year conditional use permit for a Planet Aid donation container to be located on the CVS property. Vote on motion was ayes: None. Nays: Sawyer, Borowski, Draves, Madzy, Rump. The motion did not carry and the application was not approved.

**OLD BUSINESS:** None.

**OTHER BUSINESS:****Informal Presentation****Speed Wok Property – 167 Front Street, P.P #364-04-017**

The agent, David Pusti, was present this evening. He distributed a proposed site plan for the vacant Speed Wok property at 167 Front Street. He explained that a wide-range of variances would be required in order to build a new office for Dr. Daniel at this location. The red on the plan shows the current footprint of the Speed Wok building. Mr. Pusti explained the schematics of this plan.

Mr. Pusti reported that they would require approximately nine variances for this small parcel as they would not meet any of the required setbacks. The Code would also require loading space, however, they would not need this for Dr. Daniel's office but would still need a variance for this. He displayed photographs of the existing property.

In response to Mrs. Draves, Dr. Daniel replied that he has been in the City of Berea since 1972. Mr. Sawyer asked how many exam rooms he would need and Dr. Daniel said there will be four exam rooms and one photo room. Mr. Pusti explained that they chose to orient the entrance to the building facing the property line which will have a fence. There will also be an enclosed dumpster. Mrs. Draves pointed out that this property really does not have any neighbors. She said she was certainly in favor of this plan.

Mr. Rump asked when they anticipate getting this plan off the ground and Mr. Pusti reported that Dr. Daniel still needs to negotiate a contract to purchase this property. Rebecca Corrigan, Executive Director of the Berea Community Development Corporation (BCDC) voiced her support for this project and emphasized that this property has been an eyesore in the community for some time. She was glad to see the Planning Commission being progressive with this.

**ADJOURNMENT:**

There being no further business to come before the Planning Commission, moved by Rump, seconded by Sawyer to adjourn. Vote on motion was all ayes; no nays. The meeting was adjourned at 8:30 p.m.

(signed copy on file in the office of Secretary to Planning Commission)

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Matthew Madzy, Chairman

(signed copy on file in the office of Secretary to Planning Commission)

Attest: \_\_\_\_\_

Carol A. Hubler, Secretary

**CERTIFICATE OF COMPLIANCE**

The meeting of the Municipal Planning Commission held this 19<sup>th</sup> day of March, 2009 has been conducted in compliance with all legal requirements, including C.O. Chapter 109 and Section 121.22 of the Ohio Revised Code.

(signed copy on file in the office of Secretary to Planning Commission)

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Carol A. Hubler, Secretary